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ENTERED AS SECOND CLASS MATTER AT THE NEW YORK, N. Y., POST OFFICE.

July 7, 1897.

No. 976.

PUBLISHED EVERY  
WEDNESDAY.

BEADLE AND ADAMS, Publishers,  
92 WILLIAM STREET, NEW YORK.

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Vol. LXXVI.

## OVERLAND KIT;

Or, The Idyl of White Pine.      By Albert W. Aiken.



OVERLAND KIT TURNED IN HIS SADDLE AND LOOKED BACK, WAIVING HIS HAT IN DEFIANCE.







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## OVERLAND KIT;

OR,

## THE IDYL OF WHITE PINE

BY ALBERT W. AIKEN.

## CHAPTER I.

## THE ROAD-AGENTS.

Just as the full, round moon rose above the rocky peaks that hemmed in the Reese river, the Overland coach from Austin, bound for Lone, rolled up to Kennedy's ranch.

The driver descended, bawled out supper, and the passengers commenced to alight.

Down from the box, from his seat by the driver's side, came a stout, muscular Irishman, upon whose honest and good-humored face was a broad grin. He was called Fatsy Doolin. From the interior of the Concord coach came a portly man, with a grave, staid face, lit up by large, gray eyes and fringed by iron-gray hair. "Judge" Ephraim Jones was one of the principal citizens and merchants of the mining camp known as Spur City, that lay twenty miles beyond Kennedy's ranch, and was the next stopping place of the coach.

After the Judge came an elderly, white-haired man, with a fat, unctuous face, wherein twinkled two sharp little blue eyes. This well-preserved old gentleman was from New York City, and was known as Salmon Rennet—by profession a lawyer.

The old lawyer turned to the coach, and gallantly assisted a young and beautiful girl some two and twenty years of age. In figure she was tall and straight, exquisitely proportioned, the round outlines of her form giving fair promise of glorious womanhood. She was called Bernice Gwyne.

Twenty years before the time at which our story commences, two brothers were doing business together in New York—two men of Irish descent, Patrick and Daniel Gwyne. Daniel was the father of Bernice. He died while she was but an infant. Bernice was taken in charge by her uncle, Patrick, who reared her as carefully as if she had been his own child. Patrick Gwyne had but a single scion—a son some ten years older than Bernice, named Patrick, after himself.

Patrick, the father, was a sober, steady man of business; Patrick, the son, was a wild, reckless youth.

In a drunken quarrel in a gaming-house young Patrick Gwyne stabbed a companion to the heart, and then fled.

In the Far West, amid the pine-clad sierras, the youth found shelter and bid defiance to pursuit.

Six months before the time our story opens, old Patrick Gwyne died, leaving all his property to his niece, Bernice.

Bernice waited until the estate was all settled up, and then coolly announced to Mr. Salmon Rennet—who, as the legal adviser of her uncle, had charge of his affairs—that it was her intention to go to the Far West and discover if her cousin, Patrick, was alive or dead, before she would touch one single penny of her uncle's money.

Bernice, the child of twelve years, had loved her cousin the, youth of twenty; loved him as a child, but, as she grew to womanhood, she kept his memory green in her heart.

It was this childish affection, strengthened by years into womanly love, which had brought her to this wild region.

At Bernice's earnest entreaty, the old lawyer had consented to accompany her.

The great silver discoveries had just been lawyer and the young girl set out on their loved her cousin, the youth of twenty; mission. All California was rushing there, and, thinking if Patrick Gwyne lived, he might be attracted there, too, the lawyer headed his course in that direction. There was also another motive: Rennet had a son who had been in business in San Francisco, failed there, and had located in Spur City, the point to which the lawyer was now conducting Bernice.

The crafty and keen-witted old gentleman had formed a little scheme in which he needed his son's assistance. What that was our story will tell.

"Come, hurry up your cakes, old hoss," cried the driver of the coach to Kennedy, the ranchman. The driver was called Ginger Bill, on account of his flowing red hair.

"Supper will be ready in a minute. Did n't expect you so soon. You're ahead of time to-night," replied the ranchman.

"I wanted to make here afore dark. The road 'tween here an' Jacobville ain't all hunky after sundown, since Overland Kit's taken to lookin' after it," said Bill, significantly.

"Overland Kit! Who's he?" asked the lawyer, who was standing near by.

"The leader of the most awful set of road-agents that I ever heard tell on," replied Kennedy.

"What is he like?" Rennet asked.

"A good-sized fellow, with his face kivered with a black mask, and all on his face that hain't hid by the mask a big black beard covers. He rides a big brown horse with four white feet and a blaze in the forehead; thar ain't anything in the shape of hossflesh in these parts that kin beat him. He drops onto the coach like a flash, goes through the passengers for all they're worth an' then he's off again quicker than a streak of lightning.

"Supper!" howled one of the ranchmen.

All proceeded into the house to attack the eatables, but thoughts of the road-agents were in every mind.

## CHAPTER II.

## THE SWOOP OF THE HAWK.

The meal was soon dispatched, and the passengers again assembled around the coach.

"Is there any danger of our meeting this Overland Kit between here and Spur City?" Rennet asked, just a little nervous at the thought.

"Not much; never heard tell on the critter the other side of the ranch, hyer. He's got a roost up in the rocks somewhar, 'tween hyer and Jacobville, I s'pect, 'cos he always swoops down, hawk-like, about ten miles from hyer. Maybe you noticed whar the road runs through a big canon?"

"Yes, I did," the lawyer said; "but I should think that the troops stationed in Austin would make quick work of this fellow and his band." Rennet had noticed, as he passed through Austin that a company of United States cavalry was stationed there.

"They've got to catch him first, you know," Bill said, with a laugh, "an' that ain't easy to do. He seems to smell out a sodger jist as a cat smells out a mice. I've druv' the coach over the road twice, filled with sodgers, expectin' that he'd come down on the coach, an' then they'd go for him. But, he never put in an appearance any time. He's a kind of a generous sort uv a cuss; he never troubles any miner with his little pile, but alers goes for the express company's plunder. I reckon they've sworn a heap at him. He went through you, Judge, onc't, didn't he?"

"Yes," replied the merchant; "two thousand dollars' worth of gold-dust. It has always been a puzzle to me how he learned that I had that dust."

"Oh, he's sharp, he is!" chimed in the driver. "I reckon, though, the sodgers will take him into camp one of these days."

"Then, good-by, Sal, come ag'in soon!"

"All aboard!"

The passengers clambered into the coach. Bill took a long pull at Kennedy's whisky-flask, climbed up to his seat, cracked his whip over the leaders' ears, and the coach rolled on.

The road winding round to the right, following the course of the stream, the ranch was soon lost to sight.

It was a glorious night. The bright beam of the moon made the way almost as light as by day. The swaying pines upon the hillsides, nodding sleepily in the gentle breeze, filled the mountain air with their strange balsamic odor.

The conversation of the three in the coach turned upon the subject of the daring road-agent. Judge Jones gave a brief account of his exploits.

"There are three in the band," said the Judge; "they have only been operating on this road for about a month. The express company has offered a large reward for their capture, but, as yet, they have eluded all attempts to arrest them. It was evident to me that these fellows belong to a regularly organized band, having spies in the principal mining camps, for their information regarding the coaches that carry valuables, and those that do not, is wonderful. They seldom attack a coach unless it has valuable express matter in it. The company are already out about ten thousand dollars; and they are sparing no pains to catch the rogues; but, as the driver said, they seem to scent the presence of the soldiers. It is a wonder that we have not been attacked, for we have some express matter that is very valuable."

"Why, I understood that the valuable express matter came from the mines," Rennet said.

"Gold and silver? Exactly; but the valuables we are carrying consist of Government notes for my bank," explained the Judge.

"It's a terrible risk to run," the old lawyer said, nervously.

"Yes, but if these fellows had attacked us, it might have cost them dearly. As usual, though, I suppose they have smelt out the trap," replied the Judge, significantly.

Hardly had he uttered the words, when the coach came to a sudden halt, that almost pitched the passengers out of their seats.

The Judge and the lawyer stuck their heads out of the coach windows, one on each side.

The coach had stopped by a narrow defile, partially shaded from the moonlight by the tall pines that grew on the sides of the ravine.

Some twenty paces up the road, just at the further entrance to the ravine, were three horsemen, ranged side by side, motionless as statues.

The flickering moonbeams, that stole through the branches of the pines, played in rays of silvery light upon the polished revolver-barrels which the three horsemen leveled at the coach.

"It's the road-agents!" exclaimed the Judge, withdrawing his head from the coach window as he spoke.

Bernice gave a little scream of fright. Almost at the same instant, the bright flash of ignited gunpowder broke upon the air by the side of the coach, and the sharp crack of a pistol rung out on the still night breeze.

The three in the coach look at each other in astonishment, for the shot was fired close by them, and the smoke had floated in through the window.

"Hallo! what do you mean by that shot?" cried one of the masked men on horseback, advancing slowly toward the coach. His voice was harsh and commanding.

The full, black beard that came from under his mask, as well as the brown horse he rode, marked with four white feet, and a bright blaze in the forehead, told that the speaker was the notorious road-agent, Overland Kit, in person.

"Durned ef I know," replied Bill. "I s'pect one of the weapons inside went off at half-cock. 'Tw'an't fired at you, anyway."

"Tell them to throw their weapons out on the road, or I'll put a bullet through you!" cried Overland Kit, sternly.

"Hold on your mule-team, now! don't be in a hurry," answered Bill, his natural coolness never deserting him. Then he bent over and addressed the two in the stage.

"Gents, if you don't want to attend a first-class funeral to-morrow, jest throw your weapons out into the road."

"I am not armed," the Judge replied.

"Nor I," said Rennet.

"All co-rect!" exclaimed Bill; then he addressed the highwayman, who had ridden up to the head of the leaders. "The gents inside say that they hain't got ary weapons."

"They lie!" returned the road-agent promptly.

"Maybe they do; I'll never tell you," Bill said, calmly.

"Who have you got inside?"

"Judge Jones, of Spur City, and a fat cuss from the East are the he-males; one lady," replied the driver.

"No. 1!" called the highwayman.

The horseman on the right of the road galloped up.

"Draw a bead on the driver; if he offers to stir, put a ball through him."

"S'pose I want to scratch my head?" suggested Bill.

"If you don't keep your mouth shut, you'll catch cold," cried Kit, sharply. "No. 2!"

The other horseman galloped up.

"Ride down the road a dozen paces, and keep a look-out toward Kennedy's. I've an idea that thar pistol-shot was fired as a signal. There may be some nice little trap ready to spring upon us."

The horseman obeyed the order and took his station some hundred paces down the road.

Overland Kit rode up to the coach and peered in through the window.

"The slightest attempt at resistance will cost all of you your lives," he said, harshly. "Judge Jones, good-evening! Glad to see that you're looking so well. I fear I must trouble you to hand out the leather bag full of bank-notes that you've got under your seat. I think that I'll open a bank myself in opposition to yours, and I want some notes to start on."

"You have been sadly misinformed, sir," said the Judge, making a great effort to appear calm.

"Oh, no! not much," replied the robber. "Come, hand over the valuables. I suspect that you and the express company have got some sort of a trap arranged for me. You made altogether too much parade about this note business in Austin. If you hadn't got a trap fixed, you would have tried to smuggle the valuables in, so as to have kept me from knowing which coach they went by. You fired that pistol-shot as a signal."

"I give you my word I haven't a weapon, sir," exclaimed the Judge.

"Because you've flung it down in the bushes here, somewhere. You can't pull the wool over my eyes." The robber put his head still further into the window. As he did so, he caught sight of the pale face of the girl.

"Bernice Gwyne!" he cried, in great astonishment, while a violent shudder shook his frame.

All within the coach wondered at the knowledge of the road-agent.

Crack! Out on the still air rung the sharp report of a carbine-shot.

"The soldiers, by heaven!" cried the robber, withdrawing his head from the window, and gathering up the reins of his horse.

The man whom Kit had designated as No. 2 came dashing up the road, the blood streaming from a wound in his cheek.

"The sodgers, Cap'; they've muffled their hosses' feet, I s'pect, for they were on me afore I knew it!" he cried.

"Ride for your life!" Kit exclaimed. "Judge, I'll settle with you for this, some day!"

Up the road dashed the robbers.

"Leave us a lock of your hair!" yelled Bill, as the two dashed past him.

Around the turn in the road came a dozen cavalrymen in hot haste. As the robber had suspected, the soldiers had wrapped the feet of their horses in blankets, and thus deadened the sound of their tread.

"Go fur 'em!" shouted Bill, in huge delight, as the soldiers, carbine in hand, firing at the road-agents, rode past the coach.

The passengers inside, regardless of the danger, looked eagerly out of the windows, anxious to see the fray.

On went the highwaymen, and close behind came the soldiers.

The pursued and pursuers swept onward through the dark and narrow defile and out into the rolling country beyond.

The fugitives were far better mounted, though, than were the soldiers, whose horses, too, were in a measure hampered by the blanket stuff wrapped around their hoofs.

Soon the fugitives were out of range. They reached the summit of a hill; two of them disappeared over the crest, but the third, who was the leader of the band, Overland Kit, slackened the speed of his horse a little on the crest of the hill, turned his head and looked back, as if to laugh in defiance at his pursuers. A moment more, and he, too, disappeared.

When the soldiers reached the summit of the hill, and looked along the road winding down in the valley, no traces of the robbers could be seen. They evidently had turned aside from the road and sought safety in some one of the many canons that led into the hills beyond.

## CHAPTER III.

## THE "HEART-WOMAN."

SPUR CITY! a mining camp nestled by the side of the Reese river, numbering, perhaps, some five hundred souls all told. A city built of canvas and wood, and peopled by as motley a crew as ever the sun shone upon. Men of all nations and of all hues.

Every second house was a drinking or gambling saloon. Red-shirted, huge-bearded white miners recklessly staked their gold-dust, side by side, with the yellow Chinese and the swarthy son of Africa.

The principal building in the city was a two-story shanty, rudely constructed out of unplanned boards. This was the hotel; the popular resort for all the idlers, when the shades of night put an end to the eager search for mineral wealth.

The hotel was known as the "Eldorado Saloon." The first floor was fitted up as a bar-room; probably to a majority of the inhabitants of Spur City, this part of the stopping place was decidedly more attractive than any other.

A long bar extended across the end of the room; behind the bar was shelving, displaying bottles, glasses and cigar-boxes. A few common pine tables,



with benches, were placed at regular intervals along the sides of the room. The first proprietor of the "Eldorado" had provided chairs—"tip-top Eastern style" as he claimed; but the first "free discussion" that took place in the saloon—it happened on the opening night, between the rival parties of "Paddy's Flat" and "Gopher Gully"—demolished all the chairs. By the time the "Flat" party had "cleaned out" the denizens of the "Gully" there wasn't a whole chair left!

The next morning, the enterprising New Englander who opened the "Eldorado" looked over the battlefield in dismay. He cleared away the remains of the chairs, and provided benches.

But, at the very next "discussion" that took place, every bottle and glass in the saloon went to smash.

The hotel-keeper retreated a "busted man," as he laconically expressed it.

Two or three others essayed to show the Spur Cityites that they understood "how to keep a hotel," but the rampant spirit of the miners was too much for them.

The "Eldorado" went from bad to worse.

Then, suddenly, a change came over its fortunes. A new hand took the helm; not a paw of iron, but soft, white fingers.

No longer was the "Eldorado Saloon" selected as the battle-ground of opposing clans. Peace reigned within its walls. Even the rough oaths of the bearded miners were hushed into a low growl. If a stranger, ignorant of the rules that governed the hotel, and thinking that, as long as he paid his money, he had a right to do as he pleased, and make himself as disagreeable as possible, would yell out an offensive imprecation, some stalwart neighbor would take it upon himself to inform the stranger that he must behave better, or be speedily "histed" out.

Few men, after a glance around at the lowering faces, but had sense enough to obey the warning.

And what had wrought this wondrous change in the manners of the patrons of the saloon?—for the frequenters of the "Eldorado" now were the same men who had "busted" the former proprietors.

Look around the saloon! If you are quick at guessing, a glance will tell you.

It is just midnight. The place is full of men drinking and smoking; the inhabitants of Spur City do not retire early.

Every thing within the saloon is as neat as wax. The floor is white—and the mud of Spur City can't be excelled—the whitewashed walls show no sign of dirt, except above a certain table, where the pride of "Paddy's Flat" Yellow Jim—"lined" Gopher's pet—Dave Reed—in with a knot-hole on the wall, but missed him, owing to Dave's quickness in firing his derringer through his pocket without drawing it, and drilling a hold through Jim's elbow, thereby throwing his shot out of line. The mark of the stray bullet on the wall still remained, a touching remembrance of the old times, when the "Eldorado" was good for one free fight at least, per night. Over the little mirror that is flanked by the bottles on the shelf, a couple of pine branches are tastily arranged. Pine branches also ornament the whitewashed walls, their dark, cool green a delightful contrast to the glaring white.

On each round table a tumbler is placed, containing a little bunch of wild flowers, encircled by green sprays.

All give evidence of a woman's careful hand.

The secret is out! The magic power that had tamed the unruly miners, and that "run" the Eldorado successfully, was feminine witchery.

Behind the bar, serving her patrons, assisted by a grave-faced Chinaman, was the woman who kept the Eldorado.

A woman?

No, only a child; nothing more.

A girl, barely sixteen; slight and fragile in form, with a grave and earnest face; the form of a girl, the face of a woman. Great masses of red-gold hair that gleamed in the candle-light like winding threads of fire, clustered around her temples, and hung in tangled masses down to her shoulders; clear gray eyes, large and full, looked out above the sun-kissed cheeks. The firmly compressed lips—that glowed with carnation's hue, and were as soft and fresh as the rosebud kissed by the dew of the morning—shut over the little white teeth, and the peculiar lines about the mouth plainly revealed—to one gifted with the art of reading nature in the face—that the girl had a will of her own, and a mind far beyond her years.

Ask one of the bearded miners her name and he will reply, "Jinnie."

"Jinnie what?"

"Why, 'Eldorado Jinnie.'"

Ten to one that he has forgotten her whole name; and yet it is hardly a year since old Tom Johnson—commonly known as drunken Tom Johnson, to distinguish him from another Tom Johnson, whose Spur City appellation was Big-nosed Smith—had fallen into the river and drowned in a foot of water. He had fallen on his face, wandering in his tent in the darkness, and was too much under the influence of liquor to turn over and make an effort for his life.

The miners made up a little purse for the orphan girl, whom drunken Tom Johnson had always taken good care of in his rough way, and three or four of them held a sort of council to decide what they had better do for the "little gal," as they termed Jinnie. These few had been cronies of her father.

Jinnie was consulted in regard to the subject; she thanked them for their kindness, but said she had already decided what to do.

All Spur City was astonished when it was announced, after Johnson's death, that little Jinnie had leased the Eldorado Saloon, and was going to run it as a first-class hotel—first-class for Spur City. The miners wisely debated where the money had come from, for drunken Tom Johnson never was known to save a cent. But one thing was evident, Jinnie had plenty of money, for she opened the place in good style.

It was a great night for Spur City when Jinnie opened the Eldorado. Everybody attended for ten days around.

Then the crowd surged into the saloon and gazed at them in mute astonishment at the wonderful change that the girl's brains had wrought, one of the foremost of the rough crowd was Dick Talbot—"gentleman Dick," as he was called by some; "Injun Dick," as he was called by others. The first

name given, because he wore "store-clothes," a white shirt, always clean—he was the only man in Spur City that could boast such a luxury—polished boots and kid gloves. The second, because he was as cool as a bank of snow melting under the shadows of the pines in a mountain canon, wily as a panther, cunning as a fox, a man who knew not what fear was, who never turned his back on a foe, or hesitated to back a friend in a fair fight; quick as lightning on the trigger, spry as a cat with the bowie knife; the best two-handed sparrer that ever set foot in the Reese river valley, and the finest poker-player that ever handled a deck of cards.

Therefore a popular man in Spur City was "Injun Dick."

A brief speech he made to the crowd. He told of the orphan girl, left alone and trying to make an honest living—that Spur City needed a hotel, and she could keep it—that the first man that kicked up a row in the Eldorado would have to meet him and would get wiped out, if he was able to do it. The remarks were brief and quite to the point; no bluster or bravado, but delivered with a coolness that was far more impressive than heat.

The Eldorado became a "fixed fact." Of course at first there had been some little trouble; some few skirmishes; but Injun Dick first ran the offending parties out of the saloon, and then administered a scientific thrashing. The parties who received the aforesaid never needed a second warning.

So at the time we write, the Eldorado had run a year as a saloon, restaurant and hotel, under the supervision of Jinnie, assisted by the grave and quiet Chinese, Ah Ling, who attended to the cooking department.

The Eldorado was only waiting for the coach to come in to close up for the night.

Just as the clock, that was ticking on the bar, struck twelve, a man, who was dressed so differently from the other patrons of the room that he looked like the inhabitant of another land, entered the saloon.

A single look at the muscular, well-knit figure, that just reached the medium height; the springy step that told of the wondrous power that dwelt within the muscles of the leg; the firm, well-shaped head with its close-cut black hair, its pale features, dark-blue eyes, drooping mustache and little pointed beard, that, German fashion, adorned the chin alone, the rest of the face being smoothly shaven, told that the new-comer was "Injun Dick."

Talbot seated himself at the table nearest the bar, which happened to be unoccupied.

"Make me a hot whisky, Jinnie," he said, a peculiar look upon his pale features.

While the girl was preparing the drink, she watched his face narrowly. She saw that something was the matter with the coolest head that had ever sat on man's shoulder.

Jinnie brought the steaming liquid, and placing it before Talbot, sat down on the other side of the table.

Injun Dick drained the glass at a draught.

"Make me another one, you heathen!" he said, addressing the Chinese.

"Me do—allee same," replied Ah Ling, grinning in a friendly manner at Talbot. He had a high respect for Dick, who had once saved him from being ducked in the Reese by a party of rough miners.

"What's the matter, Dick?" the girl asked, anxiously; "you very seldom drink anything."

"Jinnie, old times are coming back to me. I don't drink whisky generally, because my business needs a cool hand and a clear head; drink interferes with both. But, just now I want to forget if I can. I'm out of sorts to-night."

"What is it?"

"I can't tell you! I don't know myself! But, Jinnie, I feel as if something was going to happen to me. I've been up to Gopher Gully having a little game of poker, and, would you believe it, Jinnie, every hand I've held to-night I've held the queen of hearts—a heart-woman—as the fortune-tellers say."

"And what does that mean?"

"Why, that a heart-woman is going to cross my track; and almost every time, Jinnie, the ace of spades has been the next card to it. That means bad luck—death, perhaps. I ain't generally superstitious, but, something's made me awful nervous to-night."

"A heart-woman?" said Jinnie, thoughtfully; "what is a heart-woman like, Dick?"

"Why, a woman about the same style as yourself; blue eyes and brownish hair."

"It's strange that you should be nervous, Dick," the girl said, with a sidelong glance into his face.

"We all have our dull moments sometimes, my girl," he replied, a sad expression in his tone.

The Chinaman brought the liquor and placed it on the table.

"Muchee likee—good heapee," he said, grinning, and then returned to his former position.

"I hope, Dick, that if any danger threatens you, it will come openly," Jinnie said, thoughtfully.

"Why so?" Talbot asked, in surprise.

"So that I can help you meet it, and so pay off a little debt I owe you," she said, low and earnestly.

"You owe me?" he exclaimed, in surprise.

"Yes. Oh! you mustn't think that I forget!"

"You must think that I have got a bad memory," he said, quickly. "Do you think that I've forgotten when the Reese was coming down like a hungry panther, and a helpless man was struggling in the icy waters, how somebody dashed into it, spite of the junks of ice and tree-trunks, and risked her life to save mine? When I forget that, Jinnie, just conclude that Injun Dick has passed in his checks, and will 'chip in' again nary a time."

A warm blush overspread the features of the girl's face as he spoke. A sweet feeling of joy filled her young heart.

"No, Jinnie, I never yet forgot a friend or a foe. I've always tried to pay my debts. But, it's strange, this queer feeling that has come over me. I believe in luck, and a little in presentiments; and, just now, I feel shaky about what's ahead."

He raised the glass to his lips; just then the door opened, and Ginger Bill conducted Mr. Rennet and Bernice into the saloon.

A convulsive gasp came from Talbot's lips, and the glass dropped from his nerveless hand to the floor, where it was shattered into a dozen pieces.

"The heart-woman!" he murmured, as he caught sight of Bernice's face.

## CHAPTER IV.

## THE-MAN-FROM-RED-DOG.

"WHAT'S the matter, Dick?" asked the girl, anxiously.

"Oh, nothing; only a little nervous attack, that's all," he replied, recovering himself, with a great effort.

Talbot sat facing the door, while Jinnie had her back to it, so that she had not noticed the entrance of the strangers.

"Good-evenin', Miss Jinnie," said Bill, the driver, advancing to the girl. Mr. Rennet and Bernice followed; both of them had seen so many strange sights in their western journey, that they were not much surprised when Bill introduced Jinnie as the hotel owner.

"I'll do the best I can for you, miss," said Jinnie, politely, when she learned that it was the intention of the strangers to remain with her for a week or so. "But, we're pretty well crowded; we hain't got many rooms, but I reckon I'll be able to fix you, someway."

"You can have my room, Jinnie," Talbot said, his head down, resting on his arms, which were laid upon the table, and thus hiding his features from view.

Bernice and the old lawyer looked at Talbot in astonishment, his appearance was so different from the rest of the inmates of the saloon.

"But, where will you go, Dick?" asked Jinnie, anxiously.

"Oh, anywhere; I'll get along well enough," Dick replied, never raising his head from the table.

"I am very much obliged to you, sir," Bernice said, in the low, sweet, lady-like voice, that was such a contrast to the clear, ringing tones of Jinnie.

Talbot shivered when the tones of Bernice's voice fell on his ears, as though an icy wind, fresh from the north, had blown full upon him.

"This way, miss; I'll show you to your room at once; and you, sir," said Jinnie, addressing the old lawyer; "I'll have to put you in the room with Bill, here. It's the best I can do."

"You'll be as snug as a pint of bourbon in a miner's gullet, old hoss!" Bill exclaimed, slapping Rennet familiarly on the back, with his huge paw. "Say, I hope you alers keep your own side of the bed, 'cos when I bunks in with strangers, I alers go to bed with spurs on."

"Yes, yes, I see—quite a joke," said the old lawyer, affecting to enjoy the remark of the facetious stage-driver, though, in his heart, he cursed the fellow's insolence.

As Bernice passed by Bill, following Jinnie, she said, quickly:

"What is the name of that gentleman in black?" indicating Talbot, as she spoke.

"Injun Dick!"

"Indian Dick?" Bernice exclaimed, in amazement, at the strange appellation.

"Yes, sir-ee! Injun Dick Talbot. He's the big shang-hae round this ranch."

Without further words, Bernice left the room, following Jinnie and the old lawyer. She had taken a sudden and strange interest in the stranger, whose voice alone she had heard; whose face she had not seen.

Bernice found that the room assigned to her was in the front of the building and looked out upon the only street of which Spur City could boast.

It was small, plainly-furnished, but fitted up neatly and tastily. A woman's hand, though, was plainly evident in the simple adornments.

In the silence of the little room, Bernice pondered first on the man who bore the strange name of "Injun Dick," and then upon the masked horseman who had pronounced her name at the first glance.

"Something tells me that here in this place I shall find what I seek," she murmured, as she prepared to disrobe for bed.

Hardly had she commenced to undress, when a terrible series of yells, coming from the saloon below, fell upon her ears. She paused to listen.

After Jinnie and the two strangers left the saloon, Talbot raised his head and looked around him. His face was pale as the face of the dead; great drops of sweat stood like orient pearls upon his white forehead, which the broad-brimmed slouch hat had protected from the sun-kiss, that had bronzed the rest of his face. A strange expression was upon his unusually calm features. What had so excited Injun Dick, who had been known to face a dozen angry men, with brandishing weapons in their hands, with a smile upon his lip and a bitter taunt upon his tongue?

"I must get out of this," he murmured, restlessly; "the mountain canon and the shelter of the pines must be my home till this woman is far from here! How beautiful she is. For the sake of a woman like her, I'd walk over burning coals; but I must fly from her. I feel that she will bring me ill-luck; I must get out—levant!"

Talbot arose from his seat and approached the bar.

"Give us some whisky," he said.

The Chinaman handed down the bottle, in astonishment. He had never known Talbot to call for raw spirits before.

Dick filled a glass brimming full, and drank it off as if it had been so much water.

"The liquor seems to have lost its strength," he murmured, an ugly look in his restless dark eyes. "How much, heathen?"

"Six bitee," replied Ah Ling.

Talbot tossed the money upon the counter, and turned to leave the saloon. He longed for the fresh air that, laden with the balm of the pine, swept from the white peaks down upon the river valley.

The potent spirits had lost their power. The nervous action of the brain, roused into being, defied the fumes of the whisky to overcome it. Yet Talbot would fain have stilled the busy thoughts that were working in his brain.

As Talbot turned, a burly, black-bearded fellow, gigantic in size, clad in a ragged, red-flannel shirt, buttoned colored breeches stuck into huge boots, and a high-crowned felt hat, rolled with an unsteady motion, into the saloon. The stranger was covered with yellow mud from head to foot, as if he had lain down and taken a bath in the middle of the street. A belt strapped around his waist supported two revolvers and a huge bowie-knife.

After the stranger got fairly into the saloon, he steadied himself and looked around him with an air



of drunken gravity. All eyes, of course, were fixed upon him.

"I'm the man from Red-Dog (hic), wake makes an' come at me! Yar-who-oo-oop!" and he indulged in a prolonged yell.

It was the drunken yell of the representative from Red Dog that disturbed Bernice in her chamber above.

After delivering his defiance, the stranger looked around him.

The inmates of the saloon naturally glanced toward Talbot, who stood leaning on the bar, an evil look in his eyes; he understood to whom the defiance was directed, but made no reply.

"Whar's the man called Injun Dick—the feller that wears kid gloves an' store clothes?" howled the stranger. "Let him step out an' look at me! I kin frighten him into a grease-spot!"

"My name is Dandy Jim from Red Dog!"

Then the stranger executed a war-dance in the center of the saloon.

"Set 'em up ag'in! Come an' see me. Yar-who-oo-o!" Again the stranger yelled with all the strength of his powerful lungs.

With a quick step, but a calm face, Talbot strode forward and confronted the Red-Dogite.

"See here, my friend, you had better go home and go to bed; that's the best place for you," he said, quietly.

"Halloa, Tom Thumb! how are ye?" exclaimed the red-shirted stranger, in sarcasm. "Hadr't you better go home? Does yer mother know yer out? Stand away, sonny, or I'll blow at yer an' knock yer over. I want ter see Injun Dick. I'm the man from Red-Dog! I'm part sea-lion, an' the rest on me is grizzly b'ar. I kin outrun, outdrink, or chaw up any man in the Reese valley! Peel an' go fur me! I'm yer antelope!"

And again the stranger executed a war-dance around the center of the room, accompanied by a series of yells that would have done credit to a Pawnee Indian.

The actions of the giant were ridiculously funny, despite his warlike intentions.

"See here, now, you've cavorted round here long enough; stop your noise, or I'll put you out," Talbot said, laughing at the antics of the whisky-soaked miner, in spite of his efforts to appear grave.

"You put me out? You?" asked the miner, balancing himself unsteadily on his legs. "Why, I kin eat you, I kin! Maybe you think I've h'isted too much benzine? I kin jist clean out this hull ranch, I kin! Who are you, anyway?"

"My name is Dick Talbot."

"You're my antelope!" cried the miner, drawing a revolver from his belt. "I been huntin' you!"

But before the giant could use his weapon, there was a quick movement on the part of Injun Dick. His right arm drew back and shot out, sudden and unexpected as the flash of the lightning; a sharp, whip-like crack resounded through the room. It was the iron-like knuckles of Dick striking on the bloated face of the miner.

With a howl of pain and rage combined, the giant went over backward, against the door of the saloon; on his left cheek, under his eye, was a terrible gash, nearly two inches long, as clean a cut as though the cheek had been slit by a knife. It was the mark of Injun Dick's terrific blow.

The man from Red-Dog reclined against the door, and looked around him with a stupefied air. The blow had been so sudden and terrible in its force, that it was plain that he did not realize what had occurred.

"A right peart airtquake; beats Red Dog all holler," he exclaimed. "Did it knock anybody else down?"

Then his eyes fell upon Talbot, who, with leveled revolver, stood in the center of the saloon.

"Helloa! what 'er 'bout?" the miner cried; "turn that t'other way."

"You cowardly hound! You come here expressly to pick a quarrel, and now you want to back out of it," said Talbot, in contempt.

Dandy Jim—so the miner was called—felt of the terrible wound in his cheek, from which the blood was slowly trickling, and suddenly realized what had happened.

"See hyer, give a man a chance. I kin chaw you up with a fair show." The giant slowly rose to his feet. "You put down your we'pons an' I'll put down mine. We kin go outside an' settle it."

"If you haven't got enough, there is more where the first came from," Talbot said, significantly.

The two gave up their weapons, and, followed by the crowd, adjourned to the street outside the saloon.

Jinnie had re-entered the room, attracted by the noise. Her face was pale, and there was an anxious look upon her features, as she stood at the window and beheld Talbot in the moonlight, stripping off his coat, preparing to encounter the giant that towered above him.

## CHAPTER V.

### THE FACE IN THE WINDOW.

There was a dry spot of ground, some thirty feet square, in front of the Eldorado, which had not been cut up into ruts by the wagon-wheels.

The bright rays of the full moon shining down upon it, made it as light as day.

All in the saloon had gathered in a circle in front of it. Within the circle stood the two gladiators, completing their preparations for the contest.

The man from Red-Dog was soon ready; he dashed his old hat upon the ground; rolled up the torn sleeves of his red shirt, displaying his brawny arms, that, like his face, were tanned to the color of leather by the hot sun in the mountain gulches. His left cheek was swollen terribly, where Talbot's knuckles had left their mark. The giant was not a handsome man, at any time, and the ugly wound did not improve his looks. The proof he had already received of Talbot's prowess had opened his eyes to the extent of the task he had undertaken in confronting Injun Dick, and he was not disposed to underrate his antagonist.

Slowly, Talbot prepared for the encounter. He cast aside the neat black coat and hat; rolled up the sleeves of his ruffled white shirt—he wore no vest—carelessly as though he was going to wash his

hands, instead of facing a bully, almost twice his size.

As Talbot bared his arms to the shoulder—the arms that were white and fair as those of a beautiful woman—the giant saw the firm play of the steel-like muscles, that stood out like bunches of knotted wire under the smooth, silk-like skin. If the shirt had been stripped from the back of Injun Dick, the sight of the body of his foe would have still further astonished "the man from Red-Dog." He would have seen that Talbot was all bone and muscle, not an ounce of useless fat upon the wiry, sinewy form. The breadth of the shoulders and the knotted muscles that lay there beneath the silken skin, would have told whence came the strength that sent forth Injun Dick's sledge-hammer blows.

"Look hyer! don't be all night," growled the miner, who began to have a nervous desire to see the thing through.

"Got any friends to carry yer home, Goliah?" asked Ginger Bill, with a grin, thus politely intimating that the Red-Dogite would be unable to walk after the affair was settled.

A chuckle went round the motley crowd at the humor of the stage-driver. Besides, the sympathy of the bystanders was almost entirely on the side of the smaller man.

After rolling up his sleeves, Talbot took his handkerchief from his pocket and tied it around his waist. As he tightened the knot of the handkerchief, he happened to glance toward the house. There was a little opening in the crowd, so his view was not obstructed. He saw the pale and anxious face of Jinnie pressed against the window-pane.

A quiet smile of confidence was on Talbot's features, and a bright light shone in his dark eyes as he glanced at the girl's face. Then, some strange, subtle instinct caused him to look upward. Why, he could not tell; but a sight met his eyes that made the blood run cold in his veins. Bernice, the "heart-woman," had been attracted by the noise under her window, and was looking out upon the crowd.

As Bernice's eyes rested upon Talbot's face, a strange expression came over her features. Fixed and rigid as a statue, her soul staring through her great blue eyes, she looked upon the scene below.

A single glance Talbot gave. He saw that she had seen the face that, in the saloon, he had succeeded in hiding from her.

A stifled groan came from his lips; he raised his hands to his throat as though he was choking; then rocked for a second unsteadily on his feet, and then with a deep groan of anguish, fell forward on his face senseless. The groan was answered by a stifled gasp of anguish from Bernice's lips; yet, still, with a face pale with agony, she pressed her temples against the window-pane.

The rough crowd had not noticed the glance of Injun Dick directed at the window; had not heard the sigh of anguish that had been wrung from Bernice's overwrought heart.

At Talbot's sudden, and to them astonishing, faint, they had gathered eagerly around him.

"Somethin' 'bu'st!" cried Bill, sagely, kneeling by the side of the prostrate man, and extending his arms as if to raise him from the ground. But, before the stage-driver could carry out his intentions, Jinnie burst impetuously through the crowd, pushing the miners right and left in her hurry.

With a quick, energetic motion, like a tiger mother springing forward in defense of her young, Jinnie pushed Bill away. Losing his balance, the stage-driver sprawled over on the flat of his back, like a gigantic frog.

The girl raised the head of the fallen man from the ground and supported it on her knee. With pale features, lips tightly compressed, and eyes shooting lurid fires, Jinnie looked into Talbot's face. She tore open the band of the shirt that seemed to compress the swollen neck.

"Get me some whisky, quick, some of you!" she cried.

The crowd had discreetly fallen back a little after the girl's appearance. There was something terrible in her grief that impressed even the rude miners with awe.

Two or three of the crowd ran into the saloon after the whisky.

Jinnie bent over the pale face; her long hair had escaped from the knot that usually held it in place and came down like a red screen around the shapely head of Talbot. Concealed by the tangled mass of hair that half-hid her action from the gaze of the wondering crowd, Jinnie kissed the pale lips of the senseless man with a dozen or more eager, burning kisses, as though she thought the fire of her lips would woo him back to life.

She thought not of those that stood around her; she would have done the same had all the world witnessed the action.

The color came back to the pale lips; the passionate kisses had accomplished their object; Talbot was reviving.

The girl raised her tearless eyes—there was too much fire in her soul for tears—joyfully to heaven. Her eyes rested on the pale face of Bernice, pressed against the glass. Had not Bernice been clad in her night-dress, robed for rest, she too would have sprung as eagerly as the other to the assistance of the fallen man.

With the quick instinct of woman, Bernice had guessed what had taken place, when the red-gold hair of Jinnie had swept, screen-like, around the face of Talbot. She could hear eager kisses wooing life into the cold lips, though they reached no other ears. That little minute was an hour of torture to the soul of Bernice.

The eyes of the two girls met.

A single glance; but a glance of hatred met and returned.

"She loves him too!"

Four unspoken words, flashing through two brains at the same moment; from that moment Bernice Gwyne, the woman who seeks, and Jinnie, the girl who runs the Eldorado saloon, knew that they were bitter enemies.

With a roar and a howl, the three miners rushed from the saloon with a bottle of whisky, to which the Heathen Chinese, Ah Ling, clung with the courage of desperation.

"Melican man no havee—payee, allee samee!" he screamed, in remonstrance.

When the three rough fellows had rushed into the saloon and seized the first bottle that came handy

and prepared to depart with it, the faithful "Chinese" had battled manfully with the thieves, as he supposed the intruders to be, as they hadn't tendered payment for the whisky or given any explanation.

"All right, Heathen," said Jinnie, taking the liquor. There was a strange, unnatural tone in the girl's voice. A forced calmness that seemed to tell of a raging fire within; something like the thin crust that covers the volcano's flame.

The Chinaman retreated into the saloon again, smiling blandly.

Jinnie poured the whisky into the hollow of her hand and dashed it upon the head that lay on her knee.

The smell of the potent spirits finished what the kisses of the girl had begun. Strange medicines, the pure and dewy lips of the girl and the fiery incense of the soul-destroying liquor.

Slowly Talbot opened his eyes and looked around him, with a wondering gaze.

"Be a man, Dick," murmured Jinnie, reproachfully, in his ear. "You have fainted like a girl."

"You don't know the cause," he answered, a shiver shaking his form as though icy fingers had touched him.

"Yes, I do!" Jinnie exclaimed. "I am not blind, Dick; it is this woman—this stranger from the East."

There was just a little touch of reproach in the girl's voice.

"Come now, git on your pegs!" cried the red-shirted miner, who began to bluster again, thinking from Talbot's sudden illness that he had an easy job before him. "Stand up an' take your gruel like a man. I kin hug a b'ar to death, I kin. I'm the cavorting grizzly from Red Dog, who-oo-op!"

"Say, Dick, lemme peel the hide off this ring-tailed mule!" cried Ginger Bill, who had risen to his feet after being pushed over by Jinnie's impetuous rush, and stood quietly by, looking on.

"No, no," replied Talbot, rising to his feet, his strength having apparently all returned to him. "I ask no man to fight my battles. This fellow wants a lesson; he shall have one. Jinnie, go in; this is no place for you;" but, even as he spoke, in a chiding tone, he pressed the brown hand of the girl within his own, softly.

The pressure brought the quick, tell-tale blood to the cheeks and forehead of the girl; her eyes, too, flashed with a joyous light.

Without a word she quitted his side and went toward the saloon.

A single glance she gave at the pale face that still was pressed against the window-glass above. Upon her features was a look of defiance, of triumph. Bernice answered it with a scornful, contemptuous glance.

Rivals for one man's love were now those two girls, who, but an hour before, had never seen each other.

## CHAPTER VI.

### TWO LOVES FOR ONE HEART.

A DEEP silence reigned among the rough crowd as Talbot stepped forward and confronted the giant.

The contrast between the two was great; not that there was such a difference between them in size, for, now that the miner had doffed his high-crowned hat, and bared his arms, he did not appear to be a great deal larger in frame than his opponent—only taller. His arms were larger, but the bulk came from pounds of useless flesh, not from sinew and muscle.

A pugilist would have looked with admiration upon the easy and graceful posture of Injun Dick, as he carelessly threw himself into position and faced the miner.

It was the old story over again; brute strength against cultivated skill.

A desperate rush the miner made at his opponent. His brawny arms cut the air as blow succeeded blow, but their force was wasted upon empty space. Agile and graceful as a dancing-master, Dick either stepped back out of reach, or warded off the blows as the rock throws aside the breaking wave.

Out of breath, the giant paused.

"Putty man, you are, ain't ye? Why don't you stand still and lemme hit you? Yer wuss nor a per-arie dog!" growled the miner, breathlessly.

Without replying, Talbot measured the distance, and sent out his right arm, as if intending to strike the giant on the breast. Clumsily the miner dropped his arm to ward off the blow, when quick as a flash, rap! tap! the knuckles of Talbot left their mark on the face of his opponent; then Dick jumped back again, out of distance, and, putting down his hands laughed at the bewilderment of the astonished giant.

"How's that for high?" suggested one of the crowd.

"This is as good as a circus!" roared Bill, in huge delight. "Got any more fellows like you in Red Dog?"

Maddened by the taunt, as well as by the smart of the three cuts in his face, which did not improve his personal beauty at all, the miner made another desperate rush at Talbot.

This time Injun Dick adopted new tactics; he gave way for a foot or two, then dodged under the arm of the miner, and, as he turned to follow him, tripped him with his foot. As he stumbled, Talbot caught him sideways, passed his arm over his neck, pressed him against his hip, and, lifting him by sheer strength from the ground, turned him over in the air, thus giving him, in wrestling parlance, a clean "cross-buttock" fall.

Down came the giant with terrible force to the ground. The shock stunned him. Senseless he lay, prostrate on the earth.

"If you're kilt, open your mouth an' say so, bad luck to ye!" cried the Irishman, Patsy, kneeling by the miner.

"He's only stunned," Talbot said, coolly, unrolling the sleeves of his shirt. "He'll be over it in a minute. He wanted a lesson, and now he's got it."

"Guess he won't want any more," Bill said, with a chuckle in which the majority of the crowd joined. The Spur-Cityites naturally rejoiced to see their townsmen get the best of the stranger.

In a few minutes the miner recovered from the effects of the fall. He sat up and looked around him.

"Gosh! my head feels bigger'n a bushel basket!" he ejaculated, in a mystified sort of way. "Reckon I'd better travel; you've got too many airtquakes round hyer fur me." Then he rose slowly



to his feet and approached Talbot, who stood with folded arms. "Stranger, yer too much fur me. I axes yer pardon fur cavortin' round hyer, an' I'll jist git up an' dust. You're jist lightnin' b'iled down, you are! The first time you hit me, I thought my head an' the hind leg of a mule had been suddenly introduced. If you ever want a feller fur to hold your hat in a free fight, jist call on me; I'm your antelope!"

Then the miner picked up his hat, and started off up the street.

The crowd made a break for the door of the saloon, but were confronted on the threshold by Jinnie.

"No more Eldorado to-night, gentlemen," the girl said, decidedly. "It's nearly one, and time for everybody to be in bed. The bar's closed up."

"Jist one drink, Jinnie, all round, fur to celebrate the salivatin' of that galoot," pleaded Bill. But the girl was firm, and the crowd slowly dispersed to their "roor'ing-places," as Bill facetiously observed.

The driver and a few others who roomed in the Eldorado, entered the now darkened saloon, which was lighted only by one small lamp.

Talbot, who had put on his hat and coat, remained outside, leaning against the doorpost, apparently buried in thought.

Jinnie waited till all the idlers had dispersed; then she approached Talbot.

"What is the matter with you, Dick?" she asked, in a low, soothing voice; "you seem like a man in a dream."

Talbot started, roused from his abstraction by the girl's question.

"I—I am not well," he said slowly, a painful restraint evident in his manner.

"And it is all the fault of this strange woman; she has bewitched you, Dick."

"Perhaps she has," he replied.

"I know she has!" Jinnie cried, earnestly. "It was her presence that made you act so strangely in the saloon. It was the sight of her face in the window above that made you, the strong, resolute man, faint like a weak woman when you looked on it. Why should this person possess such a strange influence over you?" And as she asked the question, a sudden and fearful suspicion shot across her mind. A thought that made her clench her teeth in agony, and catch her breath as though life were about to desert her. But Talbot, his thoughts far away, his eyes fixed in a vacant stare, afar off, where the dark line of the pines cut the mountain peaks, whitened by the moonbeams, did not notice the agitation of the girl. He did not even hear the words that she addressed to him.

"Dick!" she cried, impetuously, pulling him by the coat-sleeve, "will you answer a question?"

Talbot, recalled from dreamland by the pressure of Jinnie's hand upon his arm, looked upon the girl in astonishment. He saw the signs of agitation that were so apparent in her face.

"Answer a question, Jinnie? Of course I will," he said.

"No matter what it is?" persisted the girl, with feverish lips and burning eyes.

"Yes, no matter what it is," Talbot replied.

"Truthfully?"

"Jinnie, did you ever know me to speak in any other way?" he asked, reproachfully.

"Forgive me, Dick!" she said, her heart throbbing almost to bursting, and, with a deep sigh, she laid her head upon his shoulder. The red-gold hair was still flying freely in the breeze.

A moment Talbot looked into the little face that nestled on his shoulder; the sweet witchery that comes from the fair and gentle presence of a young and lovely woman was softly stealing over him. Tenderly he wound his arm around the slender waist of the girl, and kissed the low brown forehead.

Jinnie shuddered, and a deep sigh came from her lips, when she felt the cold kiss of Talbot upon her temple. Dreamily she closed her eyes and nestled still closer to the man by whose side she stood.

"And now, Jinnie, what is the question that you wish me to answer?" he asked, softly.

"Have you ever seen this woman before?" and the eyes unclosed and fixed themselves with an eager gaze upon his face as she asked the question.

Talbot's face grew rigid as marble as the question fell upon his ears; yet, in the face, the eager, searching eyes, the girl read neither yes or no.

"What makes you ask such a question?" he said, as if wishing to evade a direct reply.

"Dick, you are not answering me!" the girl exclaimed, reproachfully. "What can it matter to you the motive I have for asking? You promised me that you would answer. Will you keep that promise?"

"Yes," he replied, after a moment's hesitation, and in that moment he gazed into the face of the girl as though he expected to read something within there.

"You will answer?" she exclaimed, quickly.

"Yes; I have never seen this woman before," he said, slowly and firmly.

"Then she is not your wife?" Jinnie cried, a touch of joy in her voice.

"My wife!" Talbot said, in astonishment; "why, what put such an idea as that into your head?"

"I do not know," Jinnie replied; "the thought came to me. You are from the East, so is she. I thought, perhaps, that she was your wife before you came here, and that she had now come after you."

"Your thought was wrong, Jinnie; I have never been married."

"And you don't love this woman?" the girl asked, anxiously.

"Why should I love a woman that I never saw before?"

A long breath of relief came from the girl's lips at the reply; a terrible load had been taken off her heart.

"And now, Jinnie, good-night; I must be off," he continued.

"Where are you going to-night?"

"To Jim Blood's room, down the street. Jim is up in Austin, and I shall take possession of his shanty until he comes back. I've got the key. So, good-night, once more." Again he kissed the low forehead, and then walked carelessly down the street. Jinnie watched him until he entered a little shanty, some hundred paces on; then she entered the saloon.

Hardly had the girl disappeared when a dark shadow, that had been concealed behind one of the houses opposite, came from its hiding-place, and stole cautiously down the street to the shanty where Talbot had said he would pass the night.

The spy crossed the street and peered in through the window of Injun Dick's retreat. From the shanty came the feeble gleams of a candle's light.

When the light was extinguished, the spy whistled, softly. Forth from the darkness came five other figures, who joined the first. They were all dressed alike, in long, black gowns, and their heads were covered with black hoods.

## CHAPTER VII.

### DICK TALBOT'S GRAVE.

Dick entered the little shanty, which only contained one room, lighted the candle, and then looked around him. The apartment contained a table, two rude chairs, and three shoe-boxes with a blanket spread over them—the boxes served as a bed.

Dick sat down on the rude couch and meditated.

"What demon was it that sent this woman here?" he muttered, a cloud on his handsome face. "I'm in for a run of ill-luck, I suppose, and the best—the only way to avoid it, is to run from it. That is the only thing. Bright and early in the morning I'll bid Spur City good-by for some little time. I'll go to some mining-camp higher up in the mountains; find some place where she won't be able to follow me. I shall have to leave Jinnie, though. That's too bad! The girl loves me. I think that she'd die for my sake, and the other one—" He did not finish the sentence, but remained silent for a moment, staring blankly at the whitewashed wall before him.

"If I think of her longer I shall go mad!" he muttered, in agony. "To-morrow the canyon and the pines shall hide me from her sight. No more Spur City for Injun Dick while this girl remains here. I wish I could forget her. I suppose that I sha'n't sleep much to-night for thinking of her."

Then he rose and paced noiselessly up and down the floor for a few minutes.

"I must forget!" he murmured; "I wonder if Jim left any spirits here?"

He went to one corner of the room and lifted up a loose board; from the cavity under it he drew a bottle. He held it up to the light and examined it.

"Good! there's some whisky left!" he exclaimed, in a tone of satisfaction. Then he filled a large tin cup that stood on the table with the potent spirits.

"It's strange; at any other time I couldn't bear the taste of a drop of this, but now I can drain it off like water. It's bad enough, too, to burn a hole through a man's throat. If it will only make me sleep and forget, that's all I ask of it."

Then he drank off the fiery spirits at a single swallow. The strength of the poisonous draught brought tears to his eyes. Soon Talbot began to feel the effects of the dram in his brain.

"It's going to work!" he muttered; "the dose is strong and bad enough to affect me. I began to have an idea that my head was cast-iron to-night. I shall sleep; I feel sleepy already. That cursed stuff is making my brain reel like a top."

And it was no wonder, for he had swallowed a good half-pint at one draught.

With an unsteady step, Dick blew out the candle, and, in the darkness groped his way to the boxes that were to serve him as a bed for the night.

Lying down upon the rude couch, he drew the blanket over him and closed his eyes.

The fumes of the whisky had fired his brain, and strange, fantastic forms seemed to be dancing around him in the darkness.

In the strange excitement that he had labored under, he had never thought to fasten the door of the shanty after him.

Finally, overcome by the power of the liquor he had swallowed, he fell into a restless sleep—a sleep in which the scenes of the night came back to him with a terrible earnestness, yet disordered and uncertain.

Again he saw the golden-brown hair and dark-blue eyes of Bernice; again the vision of the "heart-woman" floated threateningly before him, but, by his side, like a guardian angel, the girl of the Eldorado saloon stood; her red-gold hair floated carelessly in the wind and waved around her head like the holy circle of light that crowned the locks of the saints of old.

Then around his bedside stole dark and lowering forms, with stealthy tread.

The golden-haired maid vanished in affright. Talbot would have stretched out his arms to have detained her, but some unknown power linked his wrists together and he could not separate them. He attempted to cry out, but a damp substance that seemed of spongy texture was pressed upon his nostrils.

A strange, subtle perfume floated on the air. It entered his head and ascended to the brain. A thousand stars twinkled before his eyes; his head whirled round and round like a gigantic wheel, then came a sudden explosion—an explosion without noise, but producing endless showers of fiery sparks, and then—all was still.

"Is this death?" Talbot questioned to himself. His mind was in a maze.

He felt a cool wind playing upon his temples, a rough jolting, too, as if he was being conveyed in a wagon over an uneven road. He tried to open his eyes; he succeeded, but darkness still was before him. The truth flashed upon his bewildered brain; he was blindfolded. He essayed to raise his hands to tear the bandage from his eyes, but found that they were bound together at the wrists, and some unknown power held him down.

It did not take Injun Dick long to guess what had happened. Part of the frightful dream was reality. Dark forms had stood around him. They had bound his hands together; stupefied him by some powerful drug, placed upon a sponge and pressed against his nostrils. Then he had been placed in a wagon and now was being carried—where? That riddle he could not guess.

Suddenly the wagon halted. Powerful arms bore Dick from the wagon and placed him upon his feet.

Talbot guessed that the end of this mysterious proceeding was at hand.

"Let him see," said a stern voice.

The bandage that had been placed over his eyes was suddenly removed, and Talbot stared around him in wonder.

Six men surrounded him, all clad in long black

cloaks and wearing black masks, through which shone gleaming eyes. Each one of the masked men—except the one taller than the rest, who seemed to be the chief, and confronted Talbot—held in his hand a six-shooter, cocked and leveled full at Injun Dick's breast.

A single glance told Talbot where he was. He stood upon the crest of one of the ridges that looked down upon Spur City from the north-west. A mile or so in the distance he could see the waters of the Reese river, rippling silver in the moonlight. Between him and the mining-camp was a little clump of pines; at his back the mountain ridges rose to meet the sky, and down upon the strange scene shone the full, round moon.

"What do you mean by this masquerading folly?" asked Talbot, scornfully. "Do you think to frighten me by child's play?"

"Silence, prisoner!" cried the chief of the masked men, sternly.

"Prisoner?" demanded Talbot, not a whit afraid.

"Yes, you are now standing before your judges," replied the masked man.

"And who are you that dare to constitute yourselves my judges?" asked Talbot, defiantly.

"The Vigilantes!"

For a moment a nervous look shot over the face of Talbot, but in a second it was gone.

"You lie!" he said, boldly. "The Vigilantes don't come in secret disguise. If you are anything, you are a band of masked assassins!"

"Bold words will avail you but little. Listen to the charge," said the chief, calmly. "You are Dick Talbot, commonly called Injun Dick, gambler, cheat and bully."

"You lie!" cried Talbot, fiercely; "if I had my hands free, you would not dare to say such words to my teeth. I play cards, true; few men in Spur City, or from here to the Pacific, that do not. I am no cheat, but play a square game and wrong no man out of his gold-dust. If I win, it is because Heaven has given me brains; perhaps I don't use them as I ought to, but, that's my affair. I'll have to answer that hereafter, not on this earth. As for being a bully, that's a falsehood. There don't stand a man on this earth to-day that can truthfully say that I ever picked a quarrel with him. I have used the strength and skill that nature has given me to protect myself, and I've taken the part, too, of a little man against a big one. If you call this acting the bully, then I am one."

"Dick Talbot, look down at your feet," said the chief, in the same cold, calm voice as before.

Talbot obeyed the command.

"Well?"

"What do you see there?"

"I see a hole in the ground that looks as if it was dug for a grave."

"You have guessed right; it is your grave."

"Mine?"

"Yes, unless you swear to leave this valley before the sun sets to-morrow."

"See here!" cried Dick, boldly; "perhaps I've trod on the toes of some of you gents. You want revenge. I'll give you a fair shake for it; that is, if you've got any manhood about you. Unbind my hands; give me a revolver and fifty foot start. I'll stand my ground and fight the whole six of you."

"Judges do not fight with prisoners," sternly replied the chief.

"No, nor cowardly hounds like you, when you meet a man who doesn't value his life more than a brass button in a good fight," returned Talbot, bitterly.

"Will you leave Spur City?"

"Never, until I'm carried out of it feet first, or a regular association of the citizens tell me that my presence is unwelcome. Then I'll go. But the power of men who are afraid to show their faces I laugh at. I was going to leave the ranch to-morrow, anyway; but now, since you come to threats, two can play at that game. Make me go if you can!"

## CHAPTER VIII.

### THE LAWYER'S GUESS.

WITH a calm face and an undaunted bearing, Talbot faced the masked men.

"You defy our power, then, and refuse to go?" the chief of the six asked.

"Yes, that's about the English of it," Dick replied.

"Dick Talbot, your life is at our mercy, but we will not take it at present. This is but a warning. We give you three days to leave Spur City. At the end of that time death will surely come if you defy our power, disregard our warning, and remain."

"You've trapped me this time, but you'll never get a second chance at me, I can tell you that," Dick said, scornfully.

"We'll run the risk of that," the masked man replied, dryly. Then he made a signal.

One of the masked men stepped forward and replaced the bandage over Talbot's eyes. Again Injun Dick was lifted from his feet by the strong arms, and replaced in the wagon that stood a little distance off.

Talbot felt the jolting motion of the wagon descending the hill. Then the damp sponge was pressed against his nostrils. He did not attempt resistance; he knew that it would be useless; but he strove to resist the subtle influence of the drug; his will was powerful, but the drug more powerful still.

Little by little he felt that his senses were leaving him; his head swam round; again he saw the shower of sparks, felt the motion of the whirling wheel, and then—all was blank.

When Talbot's senses came back to him, and he opened his eyes, the morning sun was shining in through the little window of the shanty.

He lay on his back on the rude couch, just as he had cast himself down to sleep the night before.

With a vacant look, Talbot gazed around him. For a moment he believed all the events of the night had taken place in dreamland, but as he turned his head around, from the blanket on which his head lay came the peculiar odor of the drug that had been administered to him.

Slowly Talbot rose to a sitting posture. There was a strange feeling about his head; a sort of dull, throbbing pain.

"It's no dream!" he muttered; "they dosed me well last night. Get up and get, eh? Not if I know myself!" and he compressed his lips firmly as he spoke. "This is going to be an awful run of luck;



just as I expected. I had made up my mind to 'levant,' and now I'm forced to stay. Bad cards ruin the best player; what can a man do against luck? They shan't frighten me out of the ranch, though. There's some deep game under all this."

For a few minutes Talbot sat motionless, his eyes fixed upon the ground, his mind busy in thought.

"Vigilantes!" he exclaimed, suddenly; "not much. Those fellows last night were more like Overland Kit's band than like the members of a vigilance committee. Who is there in Spur City that would profit by my absence? That's the question. Let me discover that, and then I can discover who those fellows were last night. They played their game right up to the handle. I didn't think that there was a man living that could catch me napping, but it's been done. The voice of the chief seemed familiar to me. I'll just look round quietly to-day and see if I can't spot him."

Talbot looked at his watch.

"Five o'clock," he said; "I'll take a little walk up the valley, just to clear my head." He rose to his feet. "It's in the cards that I must stay in Spur City—that I must meet this woman whom I ought to fly from."

Dick left the shanty and strolled leisurely up the valley. His eyes were fixed upon the ground, his face overcast with thought.

Talbot was not the only early riser, for, as he walked up the river bank, a young man, apparently about his own age, clad in the rough garb of a miner, came along down.

He was a good-looking young fellow, though rather thin-visaged, with grayish eyes and curling brown hair.

"Good-morning," said the stranger, halting when he came up to Talbot; his voice betrayed the gentleman; "did you see the coach from Austin come in last night?"

"Yes," replied Talbot. The questioner was unknown to him.

"Was there a lady on board?"

"Yes," again replied Talbot; he was rather astonished at the question.

"A young, pretty girl and an elderly, white-haired gentleman?" said the stranger.

"Yes; they're stopping at the Eldorado."

"Thank you," and the stranger passed on.

Here was more food for thought for Injun Dick. What had this young man to do with the "heart-woman," and how did he know that she was coming to Spur City?

The stranger proceeded at once to the Eldorado.

The Heathen Chinese was just proceeding to clean out the place when the young man arrived at the saloon.

Of him the young man proceeded to inquire if the old gentleman who had come in the coach last night had arisen yet.

But just as the stranger was endeavoring to make the faithful Ah Ling understand what he wanted, the old lawyer entered the saloon.

The recognition between the two was extremely cordial, and no wonder, for they were father and son! The young man was James Rennet, who, educated for a lawyer by his father, had hung out his shingle in Frisco, as the metropolis of the golden State is generally termed in the Far West, got into a little scrape there, and had "absquatulated" to the mining region to avoid unpleasant consequences.

"Bless my soul, James! You do look rough enough!" exclaimed the old lawyer, surveying the bronzed face and whiskered chin of his son in astonishment.

"Sluice mining don't improve a man's looks," the son replied.

"Bless me! you're as brown as an Indian."

"Sun and wind and hard work."

"You look like a bushwhacker."

"Kid gloves and 'biled' shirts don't do for this region; there's only one man in this camp that wears a white shirt. I just met him as I came up the street; I knew him by his shirt, though I never happened to meet him before—Dick Talbot, the gambler."

"But who washes his shirts if nobody else wears them?" asked the old lawyer, glancing down at his own soiled shirt-bosom as he spoke.

"The Heathen Chinese here," the son answered; "he came here originally as a washerwoman, but the poor devil nearly starved for want of custom. You see, dad, a man here puts on a flannel shirt and wears it until it wears out."

"A nice region this is for a gentleman to come to," old Rennet said, in disgust. "But come, walk down the street with me; breakfast will not be ready for some time, they tell me, and I have something important to say to you."

"All right."

The two proceeded down the street.

Spur City was just beginning to get up—we mean, of course, the inhabitants of the mining camp.

"You received my letter telling you of my intention to visit this place with Miss Gwyne?"

"Yes," the son replied, "on a wild-goose chase after Patrick Gwyne."

"Exactly; young girls take queer notions in their heads sometimes."

"Well, this is queer enough. Why, the chances are ten to one that this Patrick Gwyne is dead and buried long ago."

"By the by, James," said the father, suddenly, "you wrote me that you were obliged to leave San Francisco, but you didn't explain the reason for so doing. I suppose some sort of a scrape, eh?"

"That's about the size of it, dad," replied the son, coolly. "But don't ask any questions; it isn't much of a scrape, anyway, only I didn't care about coming East from Frisco in a pine coffin, so I went off between two days, as the saying is. I couldn't make my salt as a lawyer, anyway; the professions are overdone on the Pacific coast; they want red-shirted workingmen out here, not black-coated gentlemen."

"That's the case in all new countries; but now to business. You remember Bernice Gwyne, of course?"

"Well, yes; I suppose I should know her if I should see her; I was never intimate with her, dad," the son replied.

"She is the heiress of her uncle's wealth as well as of that left by her own father; but she is determined never to touch one single penny of her uncle's prop-

erty until she discovers whether his son, her cousin, Patrick Gwyne, is living or dead."

"So you wrote me."

"Of course it's only the whim of a foolish young girl. Now, I've been thinking over a little scheme. So far we haven't been able to discover the slightest trace of this Patrick Gwyne, except that when our coach was stopped by this road-agent, Overland Kit, last night, he put his head in at the window of the coach, apparently recognized Bernice, and pronounced her name. The thought occurred to me at once that he might be Patrick Gwyne."

"But then, again, it might be some one else who had known her in New York," James suggested; "it's astonishing how men from the East go to the bad here sometimes. Besides, this Overland Kit, from what I have heard of him, don't answer to Patrick Gwyne at all. Gwyne, as I remember him ten years ago, was a slight-built fellow with brown hair, good deal such a sort of man as this gambler, Dick Talbot, while the road-agent is a swarthy fellow, with jet black hair and beard—a regular desperado."

"Yes, that's true," the old lawyer said, thoughtfully, "but now for my scheme."

#### CHAPTER IX.

##### A HUSBAND FOR BERNICE.

THE old lawyer looked around him carefully, as if to assure himself that no one was within earshot.

The son looked at the father in astonishment; he couldn't imagine what the scheme of the old lawyer could be.

"Of course you are aware that this girl, Bernice Gwyne, is worth a great deal of money?"

"Yes," the son replied.

"I take it for granted, either that Patrick Gwyne is dead, or else gone to the bad so utterly that he will never dare to return to New York."

"That is very probable."

"Now, Bernice has a very strong will of her own; she will never be satisfied until she discovers what has become of Patrick Gwyne."

"That is very probable, also," James said, thoughtfully. "When a woman of her style once gets an idea into her head, it's deuced hard work to get it out again."

"Exactly; I do not suppose that any reasoning could induce Bernice to return to New York, until she had fully satisfied her mind in regard to Patrick. Now, as it is very improbable that she will succeed in learning anything about him, and as I have had about enough of this delightful country, I have formed a plan to induce Bernice to give up her wild-goose chase, and return contentedly to New York."

"What is the plan?"

"To have you stumble upon us, just by chance, you know, and tell the story of the death of Patrick Gwyne up in some wild mining region. Say he was attacked and killed by Indians, or eaten up by a grizzly bear."

"That's a good idea."

"Yes; as you are a living witness that he is dead, of course she will be satisfied, and will then return to New York, and take possession of her property."

"Well, now, dad, that's a cute idea of yours," James said, in admiration.

"It's not bad; but I have another one still better," the old lawyer said, complacently.

"In regard to Bernice?"

"Yes; she is a great heiress; a fine catch for some young man, and I had an idea, James, that it would be a good thing for you to lay siege to her. You haven't been very successful so far, but if you could succeed in winning her, it would be a master-stroke."

"That's a capital idea, dad!" the son, exclaimed, in admiration.

"Pretty fair, pretty fair," the old lawyer chuckled, rubbing his hands together softly.

"There's only two things that might upset the calculation. In the first place the young lady might not take a fancy to me; and, in the second place, neither Miss Gwyne nor myself profess the Mormon faith," the son said, coolly.

"What the deuce has that to do with it?" asked old Rennet, in astonishment.

"Bigamy, dad, you know, is ugly—"

"Eh?"

"And as I've got one wife already, I think that it will be advisable to get rid of her before I take a second."

"You don't mean to say that you're married?" exclaimed the father, in astonishment.

"Well, I am," James replied, coolly. "You see, dad, I had an office over a little milliner-shop; the young female that ran the institution was deuced pretty, and I fell in love with and married her. I thought that she was an angel; after marriage I found her quite the reverse. Why, dad, I was really glad when I got into the little unpleasantness that made 'levanting' necessary."

"You might get a divorce," suggested the father.

"I'm very much obliged to you for the idea, but if I am to get a divorce for the purpose of marrying again I think that I would rather be excused. Six weeks gave me enough of married life to suffice me for as many years, if not for a lifetime," replied James.

"How very unfortunate!" exclaimed the old lawyer. "Just think, James, if you had won the heiress, you and I could have had the handiing of all her money."

"It is rather unfortunate," the son remarked, thoughtfully.

"Oh, terrible!"

"By Jove, dad!" exclaimed James, suddenly, "I've got it!"

"An idea?"

"Yes."

"To secure the money?"

"That's my game. You see, father, if I can't marry the heiress, somebody else can."

"Well, of course I know that."

"But if the man that marries her is our man, bound to act according to our instructions, why, the result will be just the same as if I married Bernice."

"That's very true," replied the old lawyer; "but the chief point is to find such a man."

"He is already found; a chum of mine up in Gopher Gully; a regular man of wax; will do just as I say."

"Yes, but is he the sort of man to win the love of a young and high-spirited girl like Bernice?"

"You bet!" as we say in Frisco. He's a good-

looking fellow; comes of a good family East, but he's one of those weak, wavering sort of men—easily influenced. He's a gentleman, though."

"What's his name?"

"Gaius Tendall; but up in the Gully we've shortened his name down into 'Gay.'"

"You think that he will agree to aid us?"

"Not a doubt of it," the son replied, confidently. "He'll never make his fortune as a miner; he's of the unlucky kind."

"Well, I'll rely on you entirely in the affair. The first thing is to convince Bernice that Patrick Gwyne is dead."

"I'll do that. I'll swear that I saw him go to the Gully with my own eyes, and afterward helped to bury him. Of course, after we get him under ground that settles him," James said, with a laugh.

"I can't help thinking of this Overland Kit, as the old lawyer said, suddenly. 'The very moment he saw Bernice's face, he pronounced her name. Just then the soldiers came up, and he had to run for it.'"

"Well, even if he is Patrick Gwyne, he'll never dare to declare himself to Bernice; and of course she would turn in horror from such an outlaw, don't believe that he is Gwyne, though. There's rumor among the miners that the road-agent is of the Government officials; there's no telling a thing about it; it's only talk, but it may be true."

"He's a reckless fellow, whoever he is," observed the old lawyer. "But we had better turn back and he halted as he spoke."

The two had proceeded some distance beyond the borders of the town. A heavy growth of pines skirted the rude road. Father and son had the idea that, concealed by the trees and rocks, they had followed in their path, eagerly trying to overhear their conversation."

The two turned and commenced to retrace their steps, still conversing together and arranging the details of their scheme.

The spy did not attempt to follow them. He waited, hid behind the pines, until an angle in the road hid them from his eyes. Then he stepped out in the road.

A single glance at the jet-black hair and beard, the resolute face, and one could have told that it was Overland Kit, the road-agent, who had played the spy upon the plotters.

"So you think Overland Kit is Patrick Gwyne, you?" he murmured, looking in the direction of the town. "And you are going to rob the heiress, Bernice, of some of her wealth? Her money must pass through your hands; some of it will stick in the package, I'm afraid. I must be off for the mountain. I'll take measures to have a finger in this pie myself."

With a tread as stealthy and as noiseless as an Indian warrior tracking his prey, the road-agent passed through a clump of pines. A hundred paces toward he came to where the rock rose upward like a wall.

Skirting the base of the rock, Kit proceeded northward.

He went on like one well accustomed to the work. In a thousand yards or so he came to where the gully broke the wall of the rock. It was the point of a water-course. At some remote period a stream had poured down into the Reese, but now the rocks only felt the kiss of the water in the spring time when the snow melted on the mountain peak.

The road-agent turned into the gully. A grove of pines growing at the mouth of the canyon concealed it from view.

Just around the corner of the rock, at the entrance, stood a horse. The four "white stockings" and the broad blaze in the forehead told that it was the famous steed of the road-agent, reputed to be the fastest horse that had ever planted a hoof in the Reese river valley.

The horse whinnied with delight when she beheld her master approach.

"So-ho, old girl!" he muttered, patting the arched neck of the mare; "are you glad to see me in beauty? Well, there's two in this world that care little for me, outcast and villain as I am."

There was an expression of sadness in the deep voice of the outlaw.

"You've saved my life many a time, old girl," he continued. "I wonder if Judge Jones planned to attack last night? I'm afraid that the Judge and I will have to come to a settlement before long. I know anything of human nature, he's a greater villain, by far, than I am. How lucky that I overheard the conversation between this precious pair. I was in the dark as to the reason of Bernice's visit here. I was never more astonished in my life than when I saw her in the coach last night. Poor girl, she's a fruitless quest!"

Kit, with a bound, vaulted into the saddle.

Carefully the intelligent mare picked her way down the rough bed of the water-course, passed through the little group of pines, gained the road, and the obedient to her rider's hand, galloped off to the northward.

An hour's ride and Kit turned to the left and entered a dark canyon, the pines on the brink of which almost shut out the sunlight.

The canyon was the entrance to the mountain retreat of the road-agents.

#### CHAPTER X.

##### THE ROAD-AGENTS.

THE branches of the pines clouded in the canyon from their precarious footholds far up on the cliffs, they surged wildly in the ever-constant breeze that swept down along the valley.

On a level with a rude path which wound through the canyon, was a dark, ugly cavity in the side of the cliff, some six feet high by three wide. It was if by some sudden and terrible convulsion of the massive rock had been forced open.

One, pausing and looking with curiosity into the dark cavity, would have seen that the opening extended in some ten feet, yet this dark cavity, apparently barred by massive rocks beyond, was the entrance to the cave which served Overland Kit and his band of road-agents for a head-quarters.

The cave itself was some twenty feet square. Through a hole in the roof, as big round as a barrel, came a stream of light which dimly illuminated the cavern.

Three rude couches of fragrant pine branches



over which were spread folded blankets, and a few cooking utensils, comprised the furniture of the robbers' retreat.

In one corner stood two horses. The road-agents and their steeds shared the same apartment.

Extended on the fragrant couches lay two brawny men. Their rough appearance, the revolvers strapped to their waists, and their general look told that they were members of Overland Kit's notorious band.

"Bout time for the cap'n, isn't it?" asked the taller of the bandits, who answered to the name of Joe Rain.

"Yes," replied the other, who was called Jimmy Bullen.

"We had a pretty narrow squeeze last night; the blue-coats came within an ace of gathering us in. I thought that the captain was done for, sure."

"There's an old saying, you know, about the man that's born to be hanged—" replied Jimmy, significantly.

"Yes, exactly; that applies to us, too, it strikes me."

"We're all in the same boat. We'll have to keep our eyes skinned now, for the hull country will be arter us. I s'pose the cap'n has gone to see what new dodge is up."

"Yes; I don't think, though, that all the soldiers between here and the Missouri river will be able to hunt us out of this hole."

"Your head's level thar!" exclaimed Jimmy. "This is the snugest hiding-place in all the Reese river valley."

"The cap'n diskivered it hunting arter a b'ar, didn't he?" Joe asked.

"Yes; he wounded the critter in the canyon an' he run in hyer; the cap'n's blood were up an' he folered him in. Not being able to find the critter in the cleft of the rock, he, naturally, came to the conclusion that Mr. B'ar had a hole inside somewhar, which he had crept into. He had some matches in his pocket, so he jist struck a light and proceeded to examine. Sure enough, he found the hole which leads in hyer. Twa'n't half as big then as it is now, or when the cap'n selected this for a head-quarters, he saw at once that he would have to have some place to keep the hosses, in case the soldiers were clus' at our heels any time when we run into the canyon. So he jist set to work with a pick and made the hole big enough to get a horse through. Why, it would puzzle Old Nick himself to smell us out now. The hosses' hoofs don't leave any mark on the loose stones in the canyon, an' one would as soon believe that the animals had flown right up out of the canyon as to look for them inside of the cleft rock beyond."

"They hain't hunted us much yet, and it 'pears to me that now they will go for us all they know how," Joe said, thoughtfully.

"Shouldn't be surprised," replied the other; "I think it is about time to quit. We've made enough already; enough to make us all gentlemen, East; we kin live like fighting-cocks."

"There's a big reward offered for the cap'n," Joe observed with a peculiar expression in his voice, and he cast a covert glance at Jimmy from under his bushy eyebrows.

"Ware hawk there, pard!" exclaimed the other, guessing at Joe's meaning at once. "Overland Kit is like a weasel; he'll never be taken asleep, and the chances are ten to one that if he could be captivated, he'd get out of it afore they tightened the rope around his neck. It would take a derned sight more money than is offered for his hide now, to make me risk my precious carcass in attempting to take him. He's jist chain-lightning with his we'pons."

"Who's the cap'n, anyway?" asked Joe, suddenly.

"There, pard, you've got me; I'll never tell you," replied Jimmy, with a dubious shake of the head.

"Hain't that a wig he's got on; and a false beard, too?"

"Well, they don't look very natural; you don't often see a man with jet-black hair and blue eyes, you know."

"What do you suppose he wears 'em for?"

"To keep folks from knowing him, of course; it's a cute dodge. I've a sort of an idea that our cap'n amounts to something, else he wouldn't be so anxious to keep himself disguised," Jimmy said with a knowing air.

"He's smart enough to be somebody, anyway?"

"That's so, old man; you never said a truer word!" Jimmy exclaimed.

"Hark!" cried Joe, suddenly, rising to a sitting posture as he spoke.

"What is it?" asked Jimmy, also rising, and laying his hand upon the butt of a revolver.

"The sound of a hoss's hoofs, coming up the canyon," replied the other.

"It must be the cap'n."

The sound of the hoofs ringing out clear upon the rocky way of the canyon, could be distinctly heard. Nearer and nearer came the sounds, and at last, Overland Kit, leading his horse by the bridle, entered the cave.

"Come at last, cap'n!" Joe said, as Kit placed his horse by the side of the other two at the end of the cave.

"Yes," the leader of the road-agents replied, seating himself on the empty couch of pines.

"What's the news?" Joe asked.

"Bad; in a few days the whole country from here to Austin will be arter us. Judge Jones has been stirring up the miners, and the express company has put the United States troops upon our trail. They're going to hunt us down, boys, as if we were wolves."

"What's to be done?" exclaimed Jimmy.

"Vamoose!" replied Kit, laconically.

"Levant, eh?" Joe said.

"That's our game; there's no use blinking at the fact. They will make this section altogether too hot to hold us. Sooner or later they'll track us here, the game is up; Judge Lynch will take a hand in and then we shall be strung up to some tall pines by a way of ornamenting the landscape."

"Well, we haven't done badly considering that we haven't collected toll in these parts very long," said Jimmy, with a grin.

"We have enough, boys, to make us all comfortable. We can return to civilized life; try and be honest men again, although I don't know as it's possible for a man to prosper on ill-gotten gains," Kit said, quietly.

"Then our little partnership is ended," Jimmy remarked.

"Yes."

"Well, I'm sorry for it," Joe said, reflectively. "We've made some money, and with mighty little trouble."

"Yes, and our gold is not stained with blood; we have gone for the express company and the rich men alone, and they're able to stand the loss. Now, we'll divide what gold-dust we have here, shake hands and say good-by. If we should ever meet again, it is perhaps better that we three should be as strangers to each other," Kit said.

"Well, I'm agreeable," Joe remarked.

"So am I!" exclaimed Jimmy; "for my part I'm going to get out of this part of the country as soon as possible. I shall put for the East. I've got money enough to make me comfortable for the rest of my days, and I think I've had all the rough work that I want."

"You are acting wisely; and now I have a request to make," Kit said.

"Spit it out!" Joe exclaimed.

"The secret of this cave I wish preserved. I ask of you two to keep it locked within your breasts. Do not speak of it to any one. There may come a time when this place will again afford me shelter; no man can tell what will happen, you know. Will you promise to keep the secret?"

"You kin depend upon me, cap'n!" exclaimed Joe.

"And on me, too!" chimed in the other.

"Good; that is all I ask. If you'll take my advice, boys, you won't go anywhere near Austin, and swap your horses off as soon as possible. Our animals are better known than we are ourselves. I don't know but what it would pay us to kill them outright and leave them in the canyon for the wolves."

"Perhaps it would be the best thing to do," Joe said, thoughtfully. "A man's neck is worth a heap sight more than a hoss."

"Well, act your own pleasure," Kit observed.

"Now for the division."

Then from under a huge stone, which concealed a cavity in the rocky floor of the cave, the leader of the road-agents drew some canvas bags filled with gold-dust. From his pocket he took a pair of small scales and weighed the dust into three equal portions. This done, he put each portion up in a bag and handed one apiece to Joe and Jimmy. The third he kept himself.

"That's settled, and now, partners, good-by; take my advice and don't let the grass grow under your feet."

The three led their horses out of the cave and through the cleft rock into the canyon.

A moment they wrung each other's hands, and then they parted, Joe and Jimmy going north through the canyon, while Kit went south toward the valley road.

## CHAPTER XI.

### JINNIE'S BACKER.

JUDGE JONES sat in the express office checking off the few articles of freight that had come by the coach on the previous night. Ginger Bill, the driver, was examining and calling out the directions of the various packages.

"Jinnie Johnson, one box; Austin! Guess that's a new dress or some sich plunder," Bill remarked, as he held the package in hand.

"Jinnie Johnson, one box; Austin," repeated the Judge, as he checked the article off on the way-bill.

"And that's all."

"All?"

"Co-rect! mighty light coach last night, Judge; looks as if Spur City was bu'sted on the dust question."

"Dull time of year, Bill," the Judge said, quietly.

"That's so, Judge; things ain't as they used to was. Why, I've seen the time, right hyer, when nary a night went by without the biggest kind of a free fight. I kin remember when they used to sweep out 'bout a bushel of eyes every morning in the Eldorado, that had got gouged out the night afore."

"Don't you think that it is better for Spur City that those times have passed away?" asked the Judge, dryly.

"Well, I don't 'xactly know," replied Bill, reflectively; "kinder made things lively, you know; heap of fun, then times, you bet!"

"We're getting older and more civilized."

"That's so, Judge; I s'pect we'll build a church and have a preacher, hyer, afore another year goes by."

"That's not unlikely."

"Say, 'bout this leetle box for Jinnie; I'm going right up to the Eldorado; I'll take it along with me," said Bill, abruptly, balancing the box on his broad palm as he spoke.

"Well—I—there's some freight due on it, you know," the Judge replied, evidently not pleased with the offer.

"Why, that's all squar'; I kin collect it; it's all right; I'll be responsible!"

"Yes, of course; but it is necessary that she should sign the receipt for it." There was a strange look on the Judge's face as he spoke.

"I kin take the book right up along with me," Bill replied.

"I can't spare it at present," the Judge said, quickly. "But, Bill, you can tell Miss Jinnie that the box is down here and she can come down for it, sign the receipt, and then I'll send it up."

The driver looked at the Judge in astonishment.

"Say, what's up, Judge? Never knew you to act so cranky afore. Want to see the little gal, eh? got something for to say to her?"

"Well, yes; perhaps I have," the Judge said, slowly.

"S'pose I'd better not come back with Jinnie?"

"It might be as well to let her come alone."

"All co-rect; a wink's as good as a nod to a blind horse," Bill said, sagaciously. "I'm off. Say, Judge, you ain't a-shinin' up to the gal that runs the Eldorado, are you? 'cos I'm goin' for her myself, and you don't stand a ghost of a show alongside of me."

"For I looked in the glass an' found it so. The handsomest nig in the country, oh,"

when he was eatin' his hash up to the saloon, a-lookin' at the gal with a peccoliar look on that graveyard face of his'n. By hookey! Jinnie's struck a 'lead,' if she's got the Judge onto a string. 'Pay dirt,' by thunder! Guess the old cuss will 'pan out' well."

"Oh, pretty Jemima, don't say no, and we will married be."

"I don't believe, though, that Jinnie will cotton to that old cuss, nohow you can fix it."

By the time that Bill had come to this conclusion, he had arrived at the saloon. Entering it he found Jinnie busy as a bee, as usual.

"Box for you down at the express office," Bill said, in his abrupt way.

"Why didn't you bring it up?" Jinnie asked.

"The old cuss, Judge Jones, objected; said you had better come down and see about it yourself. He wants to see you 'bout something. Say, Jinnie, I reckon you've struck the old cuss for all he's worth:

"Den I was gone; clean gone!"

"Nonsense! Bill, you're always joking; but does the Judge really want to see me?" she asked.

"That's his platform and no beefsteak! But, say, Jinnie, don't you throw yourself away on an old cuss like the Judge, when Ginger Bill is around:

"For you'd make me just as happy as a big sun-flower!"

"I'll go and see what he wants."

So Jinnie caught up her straw hat, which lay behind the bar, and left the saloon.

With a light step she hastened down the street toward the express office.

An earnest look was upon her face as she walked onward. The words of the jocose stage-driver had put strange thoughts into her head.

Many odd circumstances connected with Judge Jones's manner toward her came into her mind. She remembered how, once or twice, when the Judge was seated in the saloon eating his meals—the Judge took his meals at the Eldorado and slept at the express office—she had caught his eyes fixed upon her with a peculiar expression shining in them. She had not thought much of it at the time, but now, she began to ask herself if Bill had guessed the truth.

Entering the express office, she found the Judge alone, busy among his papers.

"Bill told me that a box has come for me," Jinnie said.

"Yes; there it is: charges, one dollar."

Jinnie handed over the amount and signed the receipt.

"I'll have it sent up to the hotel right away," the Judge said, a kind expression in his usually harsh voice. "Sit down, Miss Jinnie. I want to talk to you for a little while." He brought a chair as he spoke and placed it by the girl's side.

Jinnie sat down and waited in silence. The Judge brought another chair for himself and sat down, facing Jinnie.

For a moment the Judge looked earnestly in the fresh young face of the girl, a strange expression upon his grave features; then he spoke:

"Miss Jinnie, do you know that the life that you are leading is a very strange one for a young girl?"

"Yes, I know it," Jinnie said, quietly.

"You are constantly brought in contact with the very worst class that frequents our town—rough, uncouth miners—you cannot be happy leading such a life."

"I must get my living some way; I have no one to look out for me," Jinnie replied, earnestly. "I know that the miners are rough, but you forget, Judge, that I was brought up among them; by this time I ought to be pretty well used to them and to their ways."

"Jinnie, what ever put it into your head to take the Eldorado?" the Judge asked, suddenly.

"I don't know; I suppose because it was the only thing I could do here. I work hard, and I'm doing well, and there isn't any one in Spur City that can truthfully say a word against me." The girl held up her head proudly as she spoke.

"That's true."

"Yes; after father died, I didn't have five dollars in the world. I was all alone, helpless, almost friendless. I sat in the little cabin down by the Reese after the funeral, crying for father, for he had always been a good father to me; I felt as if there wasn't anybody on earth that cared anything for me. I had a good mind to go out and jump into the river and die there, where father had died. Then somebody came in to see me. He didn't say much, but what he did say dried my tears right up, and made me know that father had spoken the truth when he said that, after he passed in his checks, there was somebody up in the sky overhead that would look after me. I never was learned to pray, Judge, but, just then, I did pray, not with my lips, but 'way down in my heart."

"This friend that came to see you offered you assistance, then?" the Judge questioned, a peculiar look in his stern eyes.

"Yes, he did; but he wasn't what you call a regular friend; I had never seen him but once before. He told me that the Reese had taken one father from me but had given me another, and he was the other."

"Why, I don't understand how that could be," said the Judge, puzzled at the words.

"It was true, but I would rather not speak any more about that, if you please," Jinnie replied, a little embarrassed.

"Just as you please; but go on with your story; I am very much interested."

"Then he told me that he intended to look out for me until I was able to take care of myself, and he asked me what I would like to do. You've seen the lightning flash, Judge, haven't you, in a thunder-storm?"

The Judge nodded assent.

"Well, just as quick as that, the thought came into my mind to take the Eldorado. When I told him of it, he looked grave, but, after thinking for a moment, he asked me if I thought I could run it. I told him I thought I could, and that settled the matter. I took the hotel, and you know the rest, Judge, as well as I do."

"Yes; I think I can guess who aided you!"

"I don't want you to, Judge," cried Jinnie, earnestly.



## CHAPTER XII.

## JUDGE JONES'S QUESTION.

JUDGE JONES cast a long and steady glance into the face of the girl. It was evident that he was not pleased with her speech.

"You do not wish me, then, to guess who your friend is?" he said.

Jinnie replied by a single movement of the head.

"Do you know that I take a great interest in you, my girl?" the Judge asked, a strange hesitation evident in his speech.

"I'm sure, I'm very much obliged, Judge," Jinnie said, honestly.

"It pains me to see you leading the life that you do; something tells me to extend a hand, and try to lift you from it. Are you willing to be aided by me?"

For a moment Jinnie's gaze sought the floor. In the eyes of the Judge she read the full meaning of his words.

"You do not answer," he said, after waiting for a moment.

"I'm very much obliged to you, Judge, but I'm getting along very well now," she replied slowly. "If I should need a friend, why I'll remember what you've just said."

The Judge started to his feet and paced up and down the room for a few moments, his brow contracted in thought. Suddenly he halted, facing the girl, and extended his hands to her.

"Give me your hands, Jinnie," he said, in a tone that betrayed traces of deep agitation.

Astonished at the request, the girl placed her little brown hands in the broad palms of the stalwart man.

Quickly, with feverish haste, the fingers of the Judge closed around the little hands. He raised her from the chair to her feet and gazed, with an earnest look, into her face.

"Jinnie, do you love any one?" he questioned.

For a moment the face of the girl flushed crimson at the question. She strove to withdraw her hands from his, but he held her fast as by a gripe of iron.

"You do not answer my question!" he cried, his lips trembling with a strange excitement.

"You have no right to ask it," Jinnie said, slowly, avoiding the earnest gaze of the Judge.

"Perhaps not—perhaps not!" he exclaimed, slowly; "still, I do ask it. Will you reply?"

"No."

The answer of the girl was low but firm; no trace of hesitation in her voice.

The brows of the Judge contracted at her words.

"Then, if there is a man in Spur City who loves you—a man rich, holding a good position in the world, esteemed by his fellows—if there is such a man, and he should come to you and say: 'I love you; will you let me take you from the unwomanly life that you are leading and place you before the world, the wife of a wealthy man?' what would be your answer?"

"No!"

Firmly and promptly the answer came.

"You will not change your mind?"

"No."

For a single moment the Judge gazed into the earnest face of the girl; then he released her hands and turned away; walking to the other side of the room, he sat down in a chair, and placing his elbow upon the table near him, half hid his face in his hand.

Jinnie stood irresolute, not knowing whether to go or stay. The strange manner of the Judge surprised her.

"Do you wish me to say anything more?" she asked, timidly.

"No; I will have the box sent up," he replied, in a strange, unnatural tone.

With a puzzled look upon her face, Jinnie left the express office.

The Judge remained for a few moments motionless, a dark look upon his massive face. Then he rose to his feet and began pacing, with a rapid step, up and down the narrow limits of the room.

"She loves him!" he muttered, in an angry tone.

"I read the truth in the crimson flush that spread over her face at my question. Shall he have her?" There was an angry menace in his voice as he asked the question. "Yes, when the Reese runs backward, and the peaks of the Sierra melt like the snow that lies upon them in the winter-time." The Judge compressed his lips firmly, and clenched his hands nervously, as though he held a foe in his grasp. "His life or mine, eh?" A dreadful meaning in the simple question. "It must come to that, sooner or later. All the Reese river valley isn't big enough to hold both of us. I'll have him out of the way before another week goes by. It's strange what a fascination there is in this girl's face."

Then the Judge sat down to the table and commenced to write. The words he traced upon the paper threatened a human life.

Jinnie, returning to the Eldorado, met the lawyer, Mr. Rennet.

"Ah, by the by, miss—"

"Jinnie," said the girl, as the lawyer hesitated.

"Yes, Miss Jinnie; can you tell me where I can find the gentleman who gave his room up to Miss Gwyne last night?" Rennet asked.

"Why, does she want to see him?" Jinnie asked quickly.

"Well, I—that is—of course it would be only common politeness for her to express to him her appreciation of his kindness," replied the old gentleman, rather embarrassed at Jinnie's direct question. Bernice, that morning, had astonished the lawyer by the eagerness with which she had requested an interview with Talbot. In obedience to her commands, the old gentleman had been searching for "Injun Dick" all the evening, but without success.

"She wants to see him?" repeated Jinnie, thoughtfully.

"Ye—yes," replied Rennet, who couldn't understand why the young girl was so particular in regard to the matter.

"I don't know where he is," Jinnie said; "I haven't seen him since last night."

"Can you inform me of any place where I would be likely to find him?"

"Perhaps he's up in the Gully."

"The Gully?"

"Yes, Gopher Gully; it's about two miles up the valley. Follow the river till you come to where a little creek runs into it; then turn to your right; the

camp is only about a hundred yards or so from the river."

"You think that I will be likely to find him there?"

"I don't know anything about it," replied Jinnie, with a shake of the head. "But he's just as likely to be there as anywhere else."

"And just as likely not to be there. I suppose."

"Yes."

"Ah!" Rennet came to the speedy conclusion that he hadn't obtained much information.

Jinnie went on her way toward the saloon, leaving the old lawyer in a rather puzzled state of mind.

"Bless me! I wonder why she was so anxious to know if Bernice wanted to see this young man?"

muttered the lawyer. "I suppose that I may as well go back to the hotel, and tell Bernice that I can't find the young man. I don't think that it will be of any use for me to travel two miles up this valley, over the rocks and through the mud. It's ten chances to one that I shall only have my labor for my pains."

So, having come to this determination, Rennet returned to the hotel. He went at once to Bernice's room. He found the young girl gazing out of the window.

Bernice turned eagerly as the old lawyer entered the room.

"Well?" she questioned, in haste, almost before he had entered the apartment.

"I haven't been able to find him," Rennet said, understanding what she wished to know.

"Oh, that's too bad!" exclaimed Bernice, petulantly.

"My dear child, I have inquired all over this delightful city, and no one seems able to tell where he is to be found. I asked the landlady—that young girl, you know—and she said that he might be in a place called Gopher Gully, two miles up the valley, but the chances were that he might not be there."

"Did you tell her that I wanted to see him?" Bernice asked.

"No; I didn't tell her so—that is, not until she asked me. She guessed it some way."

"Then she would not tell if she knew!" exclaimed Bernice, impetuously.

"Eh?" cried the lawyer, in astonishment; "why not?"

"I can't—well, only a fancy of mine," Bernice replied, in some little confusion. "Where is this Gopher Gully?"

"Follow the river up two miles to a creek; then turn to the right."

"I am tired of staying in the house; I'll go for a walk," the girl said, suddenly, rising and taking her hat and cloak.

"Shall I accompany you, my dear?"

"I won't trouble you; I'm only going a little way," Bernice replied.

Leaving the lawyer utterly astounded at her sudden determination, Bernice left the hotel.

She followed the little road that led along by the river. Soon she left Spur City behind. The road wound along, flanked by river, rocks and pines. A man going toward the city came in sight. At the first glance Bernice recognized him. The man approaching was Dick Talbot!

## CHAPTER XIII.

## BERNICE AND INJUN DICK.

BERNICE's face flushed crimson as she caught sight of the lithe, sinewy figure of Injun Dick. She stopped suddenly, as though stricken into stone, and a long breath came from between the full, red lips.

Dick was advancing slowly, his hands clasped behind him, his eyes bent upon the ground, and his whole aspect plainly betraying that he was deep in thought.

He did not see the motionless figure that stood by the side of the rude road.

Slowly he came onward.

Bernice remained on the spot where she had stood when she had first discovered Dick approaching.

As he drew nearer and nearer, the color came and went in her wax-like cheeks.

Supremely beautiful she looked, as she stood in the center of the little ravine through which ran the road, robed in her neat traveling suit, her golden-brown locks straying carelessly from under the jaunty straw hat.

Talbot came on with measured pace, his brow dark with thought—furrowed with the lines of care.

Bernice made a slight motion toward him.

His quick ear caught the rustle of her dress. In astonishment he raised his eyes. When they fell upon Bernice's face, he halted and then recoiled, as though a phantom stood before him, rather than a young and beautiful woman. His face became ashy pale; huge drops of perspiration came out and trickled down his forehead. Injun Dick, the daredevil, who had never turned his back on mortal foe, now trembled at the mere sight of the fair young girl.

A moment he gazed upon Bernice with staring eyes; then he cast a rapid glance behind him, as if he meditated seeking safety in flight.

Bernice guessed his intentions and promptly stepped forward.

"Isn't this Mr. Talbot?" she asked, fixing her large, clear eyes upon his face.

Dick's breath came thick and fast. What terrible spell had the face of the young girl cast upon him?

"Yes," he murmured, speaking only with a great effort.

"You are the gentleman who so kindly resigned the room to me last night, I believe?"

Bernice was now so near Talbot that she could have touched him with her hand.

By a powerful effort, Dick recovered his composure.

"Nothing but a common act of courtesy, miss," he replied, quietly; "any one would have done the same."

"But, as you performed the act, of course you deserve the thanks," she said, a pleasant smile upon her fair face; and, as Talbot gazed upon it, he could not help thinking how lovely she was.

"I am always pleased to be of any service to a lady," he answered.

"Mr. Talbot," she said, suddenly, after a little pause, during which her eyes had rested searchingly upon the face of Injun Dick, "as no one has ever

introduced me to you, I suppose I must do so myself. My name is Bernice Gwyne, and I come from New York."

Talbot bowed, but replied not; his face, though, was a shade paler under the searching eyes of the girl.

"Do you know why I have come to this wild mining region?" she asked, her full blue eyes still resting upon his face.

"Why, how should I know, Miss?" he asked, an expression of astonishment on his features.

"Then I'll tell you; I am a woman who seeks? Can you guess what I seek?"

Talbot shook his head in the negative. For a moment Bernice looked disappointed, but it was soon over.

"I seek my cousin, Patrick Gwyne, who left New York ten years ago."

Talbot looked steadily in the face of the girl, but did not speak. Bernice's brows contracted just a little.

"I have been wishing to see you all the morning, Mr. Talbot," she continued after a moment's pause; "can you guess why I wished to see you?"

"To speak about the room, I suppose, miss," Talbot said, slowly, his eyelids coming down just a little over his dark eyes.

"No; guess again!" she exclaimed.

"I cannot guess," he replied.

"Shall I tell you?"

"If it will please you," was his non-committal reply.

"Then you do not care to know?" she asked, a strange expression upon her features.

"Why should I care?" he asked, apparently puzzled at the question.

"I'll tell you, and then you will plainly see why you should care," she exclaimed, just a little bit of impatience in her manner. "I wished to see you because I thought that you might be able to tell me something of my cousin, Patrick Gwyne."

Talbot looked at the fair girl for a moment, an expression of blank amazement upon his face; then he spoke:

"You expected that I would tell you something about your cousin?" astonishment in his voice as in his face.

"Yes," replied Bernice, firmly.

"I cannot understand why you should think so," he said, slowly.

"Look at me!" she said, imperiously, but the sweetness of the clear tone was full pardon for the manner.

"Well?" Talbot's eyes were fixed on her face.

"Am I blind?"

"No."

"Do you think that I can not recognize you, even though years have passed?"

Again Dick looked utterly astonished.

"It is a hard matter to recognize one whom you have never seen before," he said, slowly.

"Do you mean to say that I have never seen you before?" she asked, quickly.

"Before last night, never!" he replied, firmly.

"How can you say such a thing?" she said, earnestly. "My woman's eyes have read the truth, even though ten years have changed you a great deal. Ten years ago your cheek was as white as my hand, your chin as beardless as mine; and now, even though your face is bronzed by sun and wind, and your chin covered by a beard, I know you!"

"And who am I?" he asked, quietly.

"Your name is not Talbot!" she replied, quickly.

"Possibly," he said, carelessly; "in this wild region, the refuge of men whose crimes have outlawed them from civilization, few men are known by their right names."

"Could I not speak your name if I wished to?" she asked, suddenly, fixing her eyes upon his face, with a look as though she would read the truth in his eyes, despite his efforts to conceal it.

A moment Injun Dick looked into the beautiful face, so radiant with youth, health and freshness; then again, cat-fashion, his eyelids came half-way down over his eyes.

"No, you can not speak my name," he said, in a firm, clear tone, which betrayed no trace of hesitation.

"Shall I try?" she asked, a touch of reproach in her voice and a mournful look in her large eyes.

"Just as you please," he replied, in a tone of thorough unconcern.

"Why do you attempt to deceive me?" she exclaimed, petulantly, her face betraying deep emotion.

"I am not attempting to deceive you," he said, calmly, his manner forming a strange contrast with hers. "You think that you have detected in my face a resemblance of some one—who, of course, I know not. Because I do not allow you to continue in your error, and do not admit that I am the person you think me to be, you accuse me of deceiving you."

"Why did you hide your face from me in the saloon last night? Why did you faint—like a woman—when you caught sight of my features in the window last night? And why, when I encountered you here, a moment ago, did you turn pale and then look around as if you wished to fly from me, as if I were a wild beast?"

Quick and earnest came the eager questions from Bernice's full lips.

"Miss, when I tell you who and what I am, perhaps you will understand why your presence has affected me so strangely—for I won't attempt to deny the truth of what you have just said," Dick answered, slowly. "I am Dick Talbot, the man who wears broadcloth and fine linen, and who plays cards for a living—Injun Dick, the gambler! that's what I am; not the fit sort of a gentleman to talk to a lady like you. I'm a human wolf—a panther—that preys upon honest men, robs them of their hard-earned gold-dust, and takes in five minutes what cost days of toil, maybe, to win. Like all men who play cards for a living, I believe in luck. For two days before the one on which you came to this place, I had a run of bad luck. I noticed that, every time I lost my money, the queen of hearts had something to do with it. If I had a pair of Jacks—a pretty fair hand to bet on, miss—somebody else had a pair of queens, and one of them was sure to be the queen of hearts. So, when you came into the Eldorado last night, the moment I set eyes on you, I saw that you were a heart-woman—that is, you know, in fortune-telling, the queen of hearts would represent you. And the mo-



ment my eyes fell upon your face something whispered in my ear that you were fated to bring bad luck to me. I made up my mind to 'levant'—get out—leave Spur City till you left it; but luck was against me there, too, for things have worked so that I am obliged to stay here. Now that you know who and what I am, it must be clear to you that I am not the person you have taken me to be."

Attentively, Bernice had listened to Talbot's story. "You will not confess the truth, then?" she said, mournfully.

"What! ain't you convinced yet?" he exclaimed, in astonishment.

"Yes, convinced that you are the man I think you are. You cannot deceive me!" cried Bernice, impulsively. "And I will never leave this place until I make you confess the truth."

"You'll stay here a long time then, miss," Talbot said, quietly.

"No; something—I know not what—tells me you will acknowledge that I have guessed rightly before many days are over."

"If you stay here long, miss, I feel sure that it will end in my being put into a hole in the ground," Talbot said, seriously. "You're going to bring me bad luck."

"How can that be?"

"I can't tell, but I'm certain it's in the cards," he replied. "Why, men who follow my business out in these regions walk over quicksands; there's no knowing when we'll sink, and when once we go through the crust, we are pretty sure not to stop until the sands close over our heads. The Vigilantes may rise right here in Spur City and string me up to the nearest tree at any time."

Bernice had little idea of the terrible meaning of the simple word "Vigilantes."

"No one will dare to punish you unless you commit a crime," she said.

"I am committing one every day by living here. Am I not a black sheep—a gambler? Judge Lynch has small mercy on gentlemen of my craft when he once gets his hand in. And now, miss, let me advise you not to be seen talking with me. I am not fit company for you. Only the rough miners associate with Injun Dick. Why, I am not only a gambler, but I am a bruiser—a fighting man. Give me a wide berth, miss; it will be better for both of us."

"By my actions in the future you shall see how I regard your counsel."

Bernice turned and walked back toward the town. Dick gazed after her with a strange expression upon his face.

#### CHAPTER XIV.

##### A MAN THINKING OF MURDER.

With a light step Bernice hastened onward. She came to the turn in the road; a few more paces would conceal her from the sight of Talbot.

She halted, turned and waved her hand in farewell. A moment more and she disappeared behind the pines.

A long breath of relief came from Dick's lips. It seemed as if a weight had been lifted off his soul.

"Thank heaven, it's over!" he exclaimed. "This girl is as beautiful as an angel; and as good, too, as she is beautiful. Oh! what cursed ill luck ever brought her in my way? I love her! I feel the passion swelling in my heart—the vain, idle, foolish passion. I might as well seek to pull down the white peaks of yonder sierra, or uproot the pine that grows on its side, as to hope—to dream—of ever winning this pure and beautiful girl! I'd give ten years of my life, though, for her!" And he clenched his hands firmly as he spoke, and the close white teeth came down with a sharp, tiger-like click.

"Oh, what folly!" he murmured, after a pause, and he let his head fall mournfully upon his breast.

"Ten years of my life wouldn't be worth much anyway. If those fellows in black who trapped me last night keep their word, I haven't got ten days to give, let alone ten years. But I'll fight 'em though! Injun Dick is not to be bullied out of this here ranch. I've played many a bluff game in my life, and I never 'called' a man until my pile was up. I reckon, though, I won't 'chip in' many times more. I've about gone to the end of my rope; maybe I'll dangle at the end of one soon, but I'll die game!"

Dick had expressed his thoughts aloud. Around him was naught but rocks and nodding pines; that is, to his view, for Injun Dick had no suspicion that a man concealed behind a clump of bushes, some ten paces from him, had overheard the interview between himself and Bernice, as well as his muttered thoughts.

Talbot sauntered leisurely up the road toward the town, but the listener, who was stretched out at full length behind the bushes, still kept his place.

Judge Jones sat in the express office before the table that served him for a desk. The drawer of the table was open, and in it, amid the papers, glistened the polished barrel of a revolver and the broad blade of a keen-edged bowie-knife.

The eyes of the Judge were fixed upon the weapons, and a heavy frown was upon his brow.

"It must come to it, sooner or later," he murmured, nervously; then he took the revolver from the drawer and examined it. It was loaded and capped.

There was a dark look in the stern eyes of the Judge as he drew back the hammer of the weapon, and watched the play of the well-oiled lock.

If ever the word "murder" was written plainly on the face of man, it was then on the strongly-marked features of Judge Jones.

He laid the revolver down on the table, got up and paced up and down the room for a few moments, his eyes glaring and his features convulsed by strong emotions.

"It must come!" again he murmured. Then he paused before the table and took up the revolver; again he tried the workings of the lock.

"To think that a half-dozen lives are at the mercy of this little toy in the hands of a resolute man. If I quarreled with a bully—this Injun Dick for instance—in a drinking-saloon, he would shoot me down with as little remorse as though I were a mad dog. Why should I hesitate then?"

The Judge drew the revolver up and leveled it over his arm at the wall of the office, as though he were drawing a "bead" at the head of a foe. His eyes glared and his teeth were clenched together.

A moment he poised the pistol on his arm, then he slowly returned it to its place in the drawer.

"It makes a noise, though," he said, slowly, deep in thought; "perhaps the other will be better." Then he took the knife from its place among the papers and tried the blade on his thumb-nail. The edge was as keen as a razor.

"Perhaps this would be better," he observed, slowly and thoughtfully. "Well, we'll see." And with these words he returned the bowie-knife to the drawer and closed it with a quick motion; a shudder ran through his frame at the moment.

The Judge leaned his head upon his hand, his arm resting on the table, and glowered across the narrow office.

"The girl—foolish child—loves this gambler, Injun Dick. He sha'n't have her if every desperado from here to Austin backed him." The Judge's brow contracted as he thus murmured his thoughts aloud.

A rap at the door and the immediate entrance thereafter of a bearded miner, roused the Judge from his abstraction.

The man was a stranger to the Judge; not so to us, for it was Joe Rain, desperado No. 2, of Overland Kit's band.

"I reckon you're Judge Jones!" exclaimed Joe, familiarly helping himself to a seat.

"Yes, sir," replied the Judge, distantly. He did not admire the looks or the manners of his visitor.

"Agent for the express company?"

"Yes, sir."

"Then I reckon you and me kin do a leetle business together."

"What is the nature of your business?" the Judge asked.

"Did you ever hear of a man called Overland Kit?" said Joe, with a grin.

The Judge started, and cast an earnest look into the face of his visitor.

"Ah, I thought, maybe, that would make you prick up your ears," said Joe, with a chuckle.

"Do you know anything about this outlaw?"

"I reckon I do," Joe replied, confidently. "I understand that there's a heap of money offered for Kit?"

"Yes."

"S'pose one of his men comes to you and offers to fix things so that you can corral Kit; would you pay the man the money and git him a pardon for what he had done?"

"Certainly."

"I'm your man then, by hokey!" cried Joe. "I kin put Overland Kit into your hands!"

"When?" asked the Judge, eagerly.

"Inside of two hours."

"You can? Where is he?"

"Why, right hyer."

"Here?" questioned the Judge, in amazement.

"Yes, hyer in Spur City; he's got his disguise off now, though, but I kin swear to his voice!" cried Joe, full of confidence.

#### CHAPTER XV.

##### GAIUS STRIKES A "LEAD."

THE sun had sunk behind the snow-white peaks far off in the west, and the gloom of the twilight was gathering thick over river, valley and mountain range.

Spur City was alive with red-shirted, big-booted miners. Dim lights were shining from the few windows that the mining-camp possessed, and whisky-drinking and card-playing were going on briskly.

Young Rennet, coming up the street, encountered at the door of the Eldorado a man who has not appeared before in our story, although spoken of.

The man was Gaius Tendail. In appearance he was about medium height, not very stoutly built; the contour of his face regular; blue eyes—rather handsome eyes, but shifting and uncertain; light yellow hair that curled in crispy ringlets all over his head.

At the first glance that Rennet gave at his friend, he saw that something was the matter with him. There was a look of exultation upon his face that was not usually there, for Tendail was one of the habitually unlucky fellows who never succeed in any undertaking, and his face was generally gloomy and overcast.

"Hallo, Jim, my boy!" ejaculated Tendail, slapping Rennet on the shoulder. "I've been looking all over the town for you. I've been in every drinking-place from here to Paddy's Flat, hunting you, and have 'pisoned' myself in every one."

"Why, you must be flush, then," Rennet said, a little puzzled, for he knew that that very morning Tendail hadn't a dollar.

"Flush! well, you bet!" cried his friend, in triumph. "Shall I lend you ten?" and he drew a handful of silver from his pocket as he spoke.

"Where the deuce did you get your money?" asked Rennet, in astonishment.

"Oh, I've struck a 'lead!'" replied Gaius, with an affectation of careless unconcern.

"Not up in the gully?"

"No, down here in the city."

"The deuce you have!"

"Fact!" exclaimed Tendail, triumphantly.

"Been playing poker?"

"Did you ever know me to win anything at cards?"

"Never!" replied Rennet, emphatically.

"Well, I didn't get this that way. I've struck 'pay-dirt,' partner; and I'll bet that the strike will be worth four aughts before I get through with it."

"What the deuce have you tumbled into?" questioned Rennet, in amazement.

"A pocketful of gold-dust, old pard!" cried Tendail, gayly; "no more slaving for me; the mines up the gully may go to Old Nick, for all I care; I'll make you a present of my interest in Wildcat, No. 1."

"See here, Gay, you've got too much whisky on board!"

"Fuller'n a tick, you bet! How's that for high?" and Tendail hit Rennet another vigorous slap on the shoulder.

"Are you crazy?"

"With joy? yes," replied Tendail. "The fact is, Jim, I've discovered a leetle secret, and to have me keep my mouth shut, somebody pays me well. Do you see? I'm all right for the best room in the Eldorado, hereafter."

"Oh! it's something that concerns Miss Jinnie, eh?"

"Did I say it was?" demanded Tendail, with an air

of wisdom. "I say, Jim, I've been celebrating pretty free, but I know what I'm about, and you can't pump me."

"Who's trying to?" asked Rennet, with a laugh. "I suppose, though, that you have discovered who backs Miss Jinnie, in running the Eldorado, eh?"

"Well, maybe I have and maybe I haven't," replied Tendail, with a wink; "but come in and we'll have a bottle of wine, that is, if they've got such a thing here; and I don't believe they have."

As the two entered the Eldorado, they encountered the old lawyer. Rennet introduced his father. The old gentleman begged to be excused, when Tendail pressed him to join himself and "Jim," and proceeded up-stairs, leaving the two young men in the saloon.

The old lawyer went at once to Bernice's room. He found the young girl seated by the window, peering out into the darkness, for, by this time, the shadows of the twilight had deepened into the somber gloom of the night.

A single candle burning on the little table alone lighted up the room.

"Well, my dear," said the old lawyer, after entering the little apartment, "I hope that you are pretty well satisfied by this time with this detestable place. I think that we had better make up our minds to return to New York as soon as possible."

"You forget that I have not discovered yet what I came to seek," Bernice replied.

"Oh, hain't James told you?"

"Told me what?"

"Why, about the miner who witnessed the death of your cousin, Patrick."

"His death?"

"Yes."

"Patrick Gwyne is not dead!" replied Bernice, decidedly.

"Oh, yes, my dear, he is!" exclaimed the lawyer. "James met a miner to-day who told him all the particulars of the affair. Why, he even saw him buried. A man, you know, don't come up out of the ground."

"Patrick Gwyne has!" Bernice exclaimed.

"Eh?" Rennet was astonished.

"He cannot be in his grave."

"Why not?"

"Because I have seen him to-day!" replied Bernice, firmly.

"My dear girl, are you in possession of your senses?" Rennet exclaimed.

"I think that I am perfectly sane," Bernice said, smiling. "I repeat; I have not only seen, but spoken with Patrick Gwyne to-day."

"You have?"

"Yes, and before many days you shall see him also. He is now disguising himself under a false name."

"Bless me, you really astonish me," said Rennet, rather bewildered. "His little plan for deceiving her in regard to the fate of Patrick Gwyne had entirely failed. 'I must go and tell James the news,' and he hurried from the room."

Bernice again gazed out of the window.

Strange thoughts were in her mind; again she stood in the lonely canyon, and held the interview with the man called Injun Dick.

"Can it be that I am fated to be his bad angel?" she murmured, gazing out into the darkness of the night as though she expected to see there the answer to her question.

The sudden opening of the door of her room drew her attention from the window. She turned her head and a figure met her eyes that filled her soul with a strange terror.

Within the room, the door closed behind him, a black mask over his face, stood the road-agent, Overland Kit!

#### CHAPTER XVI.

##### PATRICK GWYNE APPEARS.

A low cry of alarm came from Bernice's lips as she beheld the masked man standing within her room.

"Don't fear; I ain't a-goin' to harm you," said the outlaw, gruffly, his voice hard and unnatural.

Bernice made a single step toward him as the tone of his voice fell upon her ears. Her lips were parted as though a question trembled upon them, and there was an eager and anxious look upon her beautiful face.

The road-agent guessed the question that was on Bernice's tongue.

"You know me, eh?" he said, with a hoarse chuckle.

"I—I think I do," the girl replied, slowly, a puzzled expression upon her face.

"Oh! you know me, fast enough, and I know you, too, Bernice Gwyne. I knew you the moment I set eyes on you in the coach the other night, although it's ten years since I've seen your face."

"Ten years?" said Bernice, slowly, speaking as if she were in a dream, and her eyes fixed steadily upon the outlaw.

"Yes, it's ten years since I 'levanted' from old Gotham and found a home in the Far West. I've changed a heap since that time; the smooth-faced boy has become the bearded man; the hand, that once only struck in self-defense, is now raised against all."

"And who are you?" cried Bernice, suddenly, the girl standing rigid as a statue, and staring with straining eyes upon her strange visitor.

"What do you ask that question for, when you must know who I am?" demanded the outlaw, coarsely.

"Answer it, please," replied Bernice, quietly, but with a suppressed agitation in her face that was painful to behold.

"You know well enough. What man is there in this hyer ranch likely to call you by name, the moment he sets his eyes on you, like I did, when I put my head in at the coach window? Who is it that you've come all the way from the East to find, eh?" the outlaw asked.

"Patrick Gwyne," she replied.

"Take a good look at me; I'm the man," said the road-agent.

"You, Patrick Gwyne?" Bernice questioned, slowly.

"Yes, you know I am; when you look upon me and hear my voice, you know that I am Patrick Gwyne, although you have tried to cheat yourself in



to a belief that you have discovered Patrick Gwyne in this blackleg, Dick Talbot."

"How do you know that?" demanded Bernice, quickly.

"Because I overheard all that passed between you and him up in the ravine to-day," replied the outlaw, with a laugh.

Bernice started as though she had been bitten by a serpent.

"It's true," added Kit, noticing the movement of the girl. "I was snuggled down among the pines; you see, I have to be pretty careful how I walk round this hyer town. You happened to meet this fellow not ten paces from my hiding-place, so I heard all that passed between you. I could hear, though I couldn't see, but for all that, I saw something, without the use of my eyes, that he didn't see with the use of his."

"And what was that?" asked Bernice, a peculiar expression upon her face.

"That Bernice Gwyne, if she stays in Spur City long, will be very apt to make a fool of herself," replied Kit, bluntly.

"You think so?"

"I know so," he said, decidedly. "Why, Bernice, I know you of old. The free and open-hearted child has not changed, although she has grown to womanhood; her nature is still the same. But, you're on the wrong track, my girl; switch off; say good-by to this region and get back East as fast as possible."

"And leave you, Patrick Gwyne, to lead this life?" questioned Bernice.

"What other is open to me?" said Kit, doggedly.

"The life of an honest man; you are young yet; the best years of your life are still before you!" exclaimed Bernice, earnestly.

"Too late!" said the outlaw, with a shake of the head.

"It is never too late to forsake the ways of evil!" replied the girl.

"Oh, there's no use talking; leave me alone; you can't help me any. Go East and forget that such a man as Patrick Gwyne ever existed!" he exclaimed.

"Patrick, do you know what has happened at home?" she asked, quietly, but with a world of feeling in her tone.

"Yes."

"All?"

"Yes; the father forgot that he had a son; well, the son once forgot that he had a father; both are even. Perhaps if the father had been more of an Irishman and less a Roman, the son would not have disgraced his gray hairs."

"How can you speak so, Patrick?" exclaimed Bernice, softly, her large eyes filling with tears.

"It is the truth," the outlaw replied, stubbornly.

"My father had read that the Roman, Brutus, gave his son to death; his country first, his kindred after; my father aped the Roman and would have given me to the scaffold had I not found safety in flight. Years came and went, yet he did not relent; the foolish boy, that a kind word perhaps might have saved from evil, became a desperate man. When my father was on his deathbed, even, he did not relent."

"How do you know?"

"I guessed it."

"You did not guess rightly," Bernice said, softly. "Your father's illness lasted only a few hours; the shock came so sudden that it gave him no time to undo the wrong that he had committed in his will; but yet, the last word upon his lips was your name; in his dying hour he thought of the son whose name he had forbidden all to speak."

The teeth of the outlaw were tightly compressed, and his muscular frame shook with strong emotion.

"Will you not, then, leave this dreadful life and seek once more the path of honesty?" Bernice asked, eagerly.

For a moment the road-agent did not reply; then, with a great effort, he recovered his composure.

"Enough of that," he said. "I have already given you my answer, and now give me yours. Will you leave this place and return to the East?"

"No."

"You will not!" exclaimed Kit, harshly.

"No," replied Bernice, firmly.

"And why will you not?" demanded the outlaw, evidently annoyed. "You have found what you seek. I am Patrick Gwyne. You do not doubt that, do you?"

"No," Bernice replied.

"You came to the West to find me; you have found me. That ends your mission. What can keep you here?"

"Can't you guess?"

"No."

"And yet you say that you overheard the interview between myself and this Mr. Talbot, to-day."

"So I did, every word; if you doubt it, I'll repeat the conversation."

"No, I do not doubt it," Bernice replied. "You also said that you, without eyes, discovered something which escaped his vision."

"Yes, I did."

"And you ask why I remain here?"

Kit looked at the girl for a moment in silence; wonder expressed itself in his dark eyes.

"You love this man?" he cried, suddenly.

"I do," Bernice replied, firmly and proudly.

"Girl, you are mad!" cried the road-agent, roughly.

"Do you think so because I love this man, who calls himself Talbot, and because I am not ashamed to confess to you, my cousin, Patrick Gwyne, that I do love him?" the girl said, the peculiar look again appearing on her face.

"You love this fellow, this Injun Dick, bully, gambler, cheat of the first water? A scoundrel that the Vigilantes will string up to the branch of a tall pine some fine morning as a warning to the rest of his cut-throat tribe?" cried Kit, hastily, and with bitter indignation.

"Yes, I love him," replied Bernice, proudly, "and that love shall win him from the mire of evil and make an honest man of him once again."

As she spoke, the color flushed her cheeks and a bright, joyous light sparkled in her eyes.

"Oh, girl, you will lose yourself and not save him!" cried Kit; "the task is impossible. Besides, he loves another woman—the girl, Jinnie, who keeps this place. She saved his life once; that life belongs to her. Leave him to his fate."

"Patrick Gwyne, why do you attempt to deceive me?" cried the girl, suddenly. "You are playing a

bold game, but already I guess it. I know you, despite your disguise. You cannot blind my eyes. You and Injun Dick are—"

"Hush!" cried Kit, quickly extending his hand in warning. "There is some one in the entry!"

## CHAPTER XVII.

### THE QUEEN OF HEARTS AGAIN.

Bernice obeyed the warning and kept silent.

The quick ears of the outlaw had not deceived him. There was some one moving in the entry outside. Some one moving cautiously.

"They're after me, I think," said the outlaw, coolly.

"After you!" exclaimed the girl.

"Yes, I shall have to run for it, maybe."

The noise in the entry increased; the one man there was joined by a dozen others, judging from the noise they made.

"I'm in a trap, sure," muttered Kit, listening, anxiously.

"He's somewhere in the house now, you bet!" exclaimed a hoarse voice outside.

"Joe Rain, by Heaven!" cried Kit, grinding his teeth together in anger. He had recognized the voice of his former follower.

"Let a number keep watch below, while the rest search the rooms," said the stern voice of Judge Jones. He was evidently on the landing outside.

"So, wolves and dogs, all on my trail," muttered the road-agent, an angry menace in his tone.

"If they discover you?"

"They'll string me up to the first tree that comes handy," replied Kit, guessing the half-asked question.

"Is there no way by which you can escape?" Bernice asked, anxiously.

"Yes; open the window, slowly and carefully; look out and see if there is anybody down in front of the saloon," the outlaw said, quickly, his ready wit coming to his aid.

Bernice opened the window.

"Well?" questioned Kit, anxiously.

"There are two or three standing in the doorway," she replied.

"Put there of course to watch that I don't jump out of some of the windows," muttered the road-agent, in anger. "I'm in a trap; this visit to you, Bernice, may cost me my life."

"Why not remove your disguise? They do not suspect that the outlaw is daily in their midst," Bernice said.

"Disguise!" cried Kit, in wonder. "What mad notion have you got into your head?"

With a violent kick, one of the men in the entry forced open the door. The entry was filled with men, some of whom bore candles.

With the speed of the lightning's flash, the road-agent drew his revolvers and fired into the crowd.

Howling in terror, the miners tumbled over each other in their anxiety to escape from the range of the bullets of the outlaw. The candles were extinguished and confusion reigned supreme. None of the pursuers were injured, though, by the fire of the road-agent; purposely he had aimed over their heads.

With a second movement, as quick as the first, Kit brushed the candle off the little table and extinguished it. Then, with a bound, he vaulted upon the window-sill and leaped lightly to the ground.

As he had anticipated, the noise of the fire-arms had attracted the knot at the door into the house.

The coast was clear for the escape of the desperado; but the pursuers were close behind.

Kit ran up the street at a terrific burst of speed. The miners poured tumultuously from the house and followed in the chase. Thanks to the confusion attending the discharge of Kit's revolvers, he had managed to secure an excellent start.

As the miners followed in pursuit, they opened a running fire from their pistols upon the fugitive; but the night was dark, the moon being partially obscured by clouds, and the aim of the miners uncertain; so the road-agent really stood but little chance of being hit.

Judge Jones was not with the crowd of pursuers, although he had led the mob in the hotel. The miners did not notice his absence, so absorbed were they in their human chase.

After running up the street a few hundred yards, Kit darted suddenly to the left. Under a low, tumble-down shed stood a horse. It was the famous steed of the road-agent, the brown mare, with four white stockings and a bright blaze in the forehead.

With a bound, Kit swung himself into the saddle. Up the street, at racing speed, went the horse.

Enraged at the now certain escape of their prey, the miners emptied their revolvers at the flying steed and rider.

Kit turned and laughed in defiance, waving his hand in bravado as he rode on.

A few moments more and the outlaw disappeared in the gloom of the darkness.

Disgusted and breathless, the pursuers returned slowly from their fruitless chase. In front of the Eldorado they found Judge Jones and Joe Rain, busy in conversation.

"He were too much for us, Judge!" exclaimed Ginger Bill, the driver, who had been one of the foremost in the pursuit.

"Run away from you, eh?" asked the Judge in his usual calm manner.

"Had his hoss down under a shed corraled, an' he jest got up an' got like a 'tarnal earthquake!" exclaimed Bill.

"Never mind, we'll have him before morning," said the Judge.

"Well, you may," replied Bill, doubtfully; "but ef he shows his nose hyer for a week, he's a bigger fool than I take him to be."

"This lucky escape will render him careless. Bill, I want about four good men to go with me," said the Judge.

"What for, Judge?"

"To make an arrest."

"I'm your meat, for one!" cried Bill.

"Put me down for wan!" exclaimed the Irishman, Patsy, who was one of the crowd.

Two more of the crowd volunteered, and so the party was made up.

Headed by Judge Jones, and accompanied by Joe Rain, the little party proceeded up the road, heading toward Gopher Gully.

Many were the quiet remarks among the rank

and file of the party as to the object of the expedition. But as Judge Jones had, some time before the opening of our story, been formally elected Mayor of Spur City, no one thought of questioning his orders, or of asking information regarding them.

On through the darkness of the night trudged the little party. Spur City was left behind, and the rocky defile, northward, entered.

The defile ended, and the little creek that tumbled into the Reese crossed, the party saw before them the flickering lights that marked the location of the little mining camp known as Gopher Gully.

Two houses and some twenty tents, and tents and houses combined, made up Gopher Gully.

The largest shanty, of course, was the saloon, which was dignified by the title of Cosmopolitan Hotel.

When the little official party from Spur City entered the Cosmopolitan, a quiet game of poker was going on in one corner. One of the players was Injun Dick; another one, the giant who rejoiced in the appellation of Dandy Jim, the man-from-Red-Dog; three other rough-looking fellows made up the party.

Talbot nodded familiarly to Bill, said "good-evening" to the Judge, when the party entered, and then picked up the hand that had just been dealt him.

From the size of the little pile of coin before Dick, it was evident that he had not been winning.

"What brings you up our way, Judge?" asked the landlord of the Cosmopolitan, a huge-bearded giant of a fellow, with a round, good-natured face.

"A little business, that's all," replied the Judge, blandly. "Mr. Talbot," and he addressed the card-players.

"Eh, did you speak to me, Judge? I'll see that and go ten better." This addressed to the card-players.

"I'm very sorry to disturb you, but—" and the Judge hesitated.

"What is it? Spit it out, Judge! Do you call me?" to the Red-Dogite, referring to the game.

"Not by a durned sight, till you get all your pile up," replied Jim, confidently.

"I shall have to trouble you to come with us," said the Judge.

All within the room, except Joe Rain, stared at the Judge in astonishment. Those who had accompanied him from Spur City were fully as amazed as the others.

"You want me?—what for?" asked Dick, astonished.

"You are my prisoner, sir," said the Judge, in a tone which showed plainly that he was in earnest.

"Your prisoner?" exclaimed Talbot, amazed.

"Yes; you must accompany us to Spur City."

"Of what am I accused?"

"That you will soon learn; your trial will begin at once."

"Say, Dick!" cried Jim, springing to his feet, "jes' you say the word, an' I'll clean out the whole ker-boodle. I'm a gay old mustang, I am, an' I chaw up a man a wee'—Injuns ain't counted!" and the man-from-Red-Dog, squared himself scientifically, and prepared to "go for" the Spur-Cityites.

"No, no!" cried Dick, quickly, laying down his hand and gathering up the few pieces of silver that remained to him; "don't kick up any fuss on my account. I'm ready to go with you, gents;" and then he muttered in an undertone, as he arose:

"I might have guessed this; I've got the queen of hearts in my hand again."

## CHAPTER XVIII.

### FACE TO FACE.

Bernice, from the open window, watched eagerly the flight of the outlaw.

Of course all Spur City had been alarmed at the noise of the firing, and the street was well lined with men, women—very few of the softer sex, though, in Spur City—and children.

It had been quite a time since a first-class "ruction"—as the Irishman would have said—had occurred in the mining camp, and the inhabitants thereof were not slow to improve the opportunity now afforded.

Bernice could see the bright flashes of fire that came from the pistols of the pursuers; hear the sharp reports that rung out so clearly upon the night-air.

With clasped hands, anxious eyes, a pale face, and a bosom that throbbed tumultuously, the girl tried to watch the progress of the chase.

The night was dark, though, and in a few seconds the crowd passed beyond the line of her vision, but she could still see the little patches of fire, hear the pistol reports and the yells of the pursuing crowd, who were shouting like so many savages.

"Oh, merciful powers! let him escape!" murmured Bernice, in anguish; "he is not fit to die. Give him time to repent; give him time to see the evil of his ways."

Then to the ears of the girl came the sounds of the hoofs of a horse galloping rapidly away.

The reports of the revolvers came thicker and faster, the yells of the miners more and more discordant, and then—all was still, save that a busy hum, produced by moving feet and many voices, came to her listening ears.

"He has escaped, or else he is dead," she murmured, and her cheek grew paler still at the second thought. "I must learn the truth!" she exclaimed, wildly. "This suspense is too terrible to bear."

The noise of the voices and the sound of the feet grew louder and louder as the crowd came nearer and nearer.

As the miners came into sight, Bernice's eyes were strained with an eager look. She feared to behold the road-agent, a prisoner in their midst, or else to see him borne along, lifeless, by their hands.

Her fears were idle, for Overland Kit had escaped the hot pursuit.

The crowd surged up to the door of the saloon, and Bernice heard the conversation that had ensued between Ginger Bill and Judge Jones, relative to the escape of the outlaw. Then she heard the Judge's demand for volunteers.

Again Bernice trembled, and again her cheek grew pale. In the simple words of the Judge she sensed danger.

"Can he have guessed the truth, which has seemingly baffled all other eyes but mine?" she mused, anxiously.



She watched the little party proceed on their mission.

How strange is the quick instinct that dwells in the breast of a woman! Without any reason for her belief—without being able to tell why or wherefore—the thought flashed through her mind that the expedition of Judge Jones and his four volunteers boded danger to the man whom she had boldly declared she loved—Injun Dick.

Although the Judge and his men had been swallowed up in the darkness, yet still Bernice watched eagerly from the window.

She listened to the conversation of the miners, who were gathered in a little group in front of the saloon, discussing the little affray. She heard the opinion expressed:

"Since Yellow Jim went fur Big-nosed Smith 'cos he said as how he was the first coyote to strike pay-dirt in Wildcat No. 1, it war the liveliest leetle time I've see'd."

This by a veteran miner—one of the original Californian "diggers."

Bernice, carried away by the excitement of the moment, had never thought of closing the door of her apartment, which had been kicked open by the crowd in pursuit of the road-agent.

And as she leaned out of the window, listening to the talk of the crowd beneath, she was unconscious that her room was plunged in darkness, and that the door was wide open.

One thought alone occupied her mind—the fate of the man known as Overland Kit to the miners, but to her as Patrick Gwyne, the long-lost cousin whom she had followed from the far Atlantic coast.

The rustle of a woman's dress within her room, and the flame of a candle illuminating the darkness that surrounded her, caused Bernice to withdraw her attention from the crowd beneath the window.

Bernice withdrew her head from the open casement, and turning round, beheld the girl, Jinnie, standing with a lighted candle in her hand, in the center of the room.

"I'm very sorry, miss, that they should have disturbed you by entering your room so roughly," said Jinnie, picking the candle up from the floor, where Kit had thrown it, and placing it on the table, then lighting it by the flame of the candle she held in her hand.

"I suppose the excitement under which they were laboring excuses everything," Bernice said, gazing with curiosity upon the face of the young girl.

A strange contrast there was between the two. Bernice, with her handsome face and the air which bespoke the breeding of a lady; and Jinnie, the wildflower, who had been reared among the rough life of the mines; her face thin, and a look of shrewdness about the eyes and mouth that told of self-reliance, and a knowledge and courage far beyond her years.

"Yes, miss, I suppose so," Jinnie said, apparently not noticing the attention with which Bernice was regarding her. "I can't understand what got into Judge Jones. He came into the saloon with the rest at his heels, and asked where Dick Talbot was. I told him that he had gone out after supper, and had said that he was going up to Gopher Gully to have a little fun with the boys there. Then the Judge said that I must be mistaken; that he was sure he was in the house; and he and his men started up-stairs at once. I asked Ginger Bill—that's the man with the red beard who drove the coach the night you came in, miss—what the fuss was, and he said the Judge was after the road-agent, Overland Kit, and he s'posed he wanted Talbot to go with him. Injun Dick, you know, is looked up to by all the miners, pretty near. I followed the Judge right up-stairs, and I heard 'em talk about searching the rooms. The Judge asked me which was Dick's room. I told him right away that there wasn't any use of looking there, because you had the room; but I might just as well have talked to a lot of stones, for all the good it did. One of the men kicked open the door, and after that, of course, you know all that happened."

"Yes," Bernice replied, absently. The words of the girl confirmed the thought regarding Judge Jones's action that had come into her mind.

"Did this road-agent try to rob you, miss?" Jinnie asked.

"No; he came to warn me," Bernice replied, and then she looked earnestly into Jinnie's face; a strange thought had entered her mind. "Do you know anything about this Overland Kit?"

Jinnie looked astonished at the question.

"Why, no; how should I?" she asked.

Bernice was satisfied. Jinnie was ignorant as to who and what the outlaw really was. She had not guessed the mystery that surrounded Overland Kit.

"I can't understand how he got into the house, either," Jinnie said. "He must have crept in the back way when there wasn't any one around. I'll try and not have you disturbed again, miss." Then Jinnie stood and looked for a moment, wistfully, into Bernice's face. It was evident that she wanted to say something more.

Bernice noticed the expression upon the face of the other, and waited for the question; but it did not come.

"Good-night, miss," Jinnie said, abruptly, and turning, she left the room.

"Good-night," Bernice replied.

The door closing, Bernice was once more left alone. She sat silent in thought. She asked herself if it were not possible that she had made some terrible mistake; if the suspicion which she had allowed to take full possession of her mind was not rather the creation of a morbid fancy than actual truth, warranted by circumstances.

But the questions were in vain, she could not shake the belief that had so completely taken possession of her.

How long she remained silent in thought she knew not; but judging from the extent of the candle that had been eaten up by the flame, it was some hours.

Although the time was fast verging to midnight, sleep seemed a stranger to her eyes. The ceaseless spirit of unrest that had taken possession of her brain forbade all thoughts or wish for slumber.

But, at last, with a sigh, she rose to her feet, and prepared to disrobe for the night.

The street without was hushed into silence. Spur City was preparing for sleep.

Then, suddenly, on the still night-air came the

tramp of many feet and the hum of voices. With a terrible foreboding tugging at her heart, Bernice again ran to the window.

## CHAPTER XIX.

### THE MIDNIGHT EXAMINATION.

THE window was still open, for Bernice had not closed it. She looked out upon the street. A little group of men came marching along, coming from the north.

As they came past the Eldorado, Bernice saw that Judge Jones was at the head of the party, and that in the center was Dick Talbot, evidently a prisoner.

A sigh of anguish came to the lips of the girl; her worst fears were realized. The express agent was on the right scent.

As the party passed the window, Talbot raised his eyes, and gazing in that direction, caught sight of the pale face of Bernice, framed in the light that streamed through the window, from the burning candle on the table beyond.

A sad smile came over his face as he looked upon the girl.

The party passed on, heading for the express office. A little group of people had come to the door of the Eldorado, attracted by the noise of the footsteps.

Among the party was Jinnie and Mr. Rennet.

Bernice, leaning out of the window, caught sight of the old lawyer.

She called out to him, aloud.

In obedience to her request, Mr. Rennet ascended to Bernice's room.

"You saw them pass?" Bernice questioned, eagerly, almost before the lawyer was fairly within the apartment.

"You mean the party that just went down the street?"

"Yes."

"Certainly."

"What is the matter?"

"Well, from what I can gather from the conversation of the men who stood around me, I should say that the Vigilantes had risen."

"Vigilantes?" questioned Bernice, in wonder; and then, at the very moment that she spoke, the thought flashed through her mind that Talbot, at his interview with her, had spoken of danger to him, coming from the hands of the Vigilantes.

"Yes; the old-time Vigilance Committee, under a new name, my dear," explained the lawyer. "You see they don't have much law in this region—none of the machinery of courts, judges, lawyers, etc.; so, once in a while the citizens take the law into their own hands, and that, my dear, is the Vigilantes."

"But what are they going to do with Mr. Talbot?" questioned Bernice, earnestly.

"Mr. Talbot?" said Rennet, in astonishment; he had entirely forgotten the name of Dick.

"Yes; the gentleman in the middle of the group of men, who seemed to be a prisoner. He's the one, Mr. Rennet, who gave up his room to me; don't you remember?"

"Oh, yes; bless me! I forgot all about it!" exclaimed the old lawyer. "Well, no one seems to have the least idea why this Mr. Talbot is arrested—everybody calls him Injun Dick, my dear. By the by, that's the reason why I didn't understand who you meant."

"Where are they taking him?"

"To the express office down the street; they're going to try him right away, so one of the crowd said."

"Mr. Rennet, I feel a great curiosity to know of what crime he is accused. He very kindly gave up his room to me, you know," Bernice said, suddenly. "Would it be requesting too much to ask you to go and see what is the matter?"

"Oh, of course not, my dear," Rennet replied, rather astonished at the odd request. "I'll go at once, but the trial may take some time, and it's late now, and—"

"I shall be up—I'm not at all sleepy!" interrupted Bernice, quickly.

"Well, I'll be back as soon as possible," and the old gentleman hurried from the room, wondering at the peculiar whims of "lovely woman."

Down the street to the express office hurried the lawyer. It was only a few hundred yards, and when Rennet arrived there, he found that they had just got the office lighted up by means of a number of candles stuck around the walls of the shanty in tin sconces, and were proceeding to open the court.

The Judge took a seat behind the table; Talbot, the prisoner, was placed behind a dry-goods box; and the crowd ranged themselves around the room.

The little office was pretty well crowded, for the party that held Injun Dick prisoner had increased, little by little, on the road from Gopher Gully to the express office in Spur City.

"As this is merely a preliminary examination we don't need any jury," said Judge Jones, with this remark opening the court.

"Prisoner at the bar, known as Dick Talbot, otherwise Injun Dick, are you guilty, or not guilty?"

"Well, Judge, until I know what I'm accused of, I can't tell; I never could guess riddles. You're too much for me; I give it up, Judge," replied Dick, coolly, not at all abashed by his position.

A titter went round the circle of miners at the reply. Probably no class of men in the world are quicker to appreciate a certain sort of humor than the denizens of the Far West.

The Judge looked annoyed for a moment.

"I put the question directly to you to save time," he said, sternly; "you must know very well of what crime you are accused, Dick Talbot."

"Haven't the least idea, Judge; unless it is in being Dick Talbot. I'll have to plead guilty to that, anyhow."

"Gambler, bully, cheat, and desperado!" exclaimed the Judge, harshly.

The face of Talbot grew a shade paler at the ugly names; he shut his teeth firmly together for a moment, involuntarily his hands clenched, and an ominous light shot from his dark eyes.

All within the room bent forward eagerly to watch the issue. Few there but had seen men, giants in size, go down before Injun Dick's sledge-hammer blows, for far less offense than that now offered him.

Nearly all the crowd expected to see Dick dart forward and fell the Judge to the floor, and one half of those within the room would have justified the deed.

Neither they, nor Dick, had any suspicion that

Judge Jones had slyly drawn a revolver from the drawer of the table, when he had first taken his seat at it, and now, with his hand upon the trigger, the hammer cocked, he waited for the attack, which he had fully calculated his words would bring. Of course, in self-defense, the Judge thought, and rightly, too, that few would blame him for using his weapon.

But Judge Jones had reckoned "without his host."

With a powerful effort, Dick repressed his wrath. "Judge, when a man stands before you with his hands tied behind his back, to strike him, even with words, is a cowardly act," Dick said, slowly and deliberately.

A low murmur came from the lips of the crowd. It was plain that the prisoner had more friends than the Judge.

"And now, Judge, let's have a good, fair, square show of hands; no cards up your sleeve, or acea rung in on a 'cold' deal," continued Dick, in the same cool, deliberate way. "What are you, anyway? Are you the Judge, sitting there to try me for some crime I am accused of committing, or are you the prosecuting attorney, whose business it is to prove me guilty if he can, whether I am so or not? or are you both, rolled up into one? If you are, I'd like to know what kind of a show I'm going to get in this here court?"

"A show to be struck by lightning!" growled the man-from-Red-Dog, in anger.

"Silence in the court," cried the Judge, sternly, and in anger. "In reply to your accusations, I will say that I am the Judge, and not the prosecuting attorney, but it is my duty to see that justice be done."

"That's all I ask," remarked Dick, quietly.

"Of course you are aware that, in certain cases, the Judge, on the guilt of the prisoner being proven, has power to pass sentence at once," Jones said.

"That's square, every time; but I say, Judge, you commenced operations by saying that, as this was only a preliminary examination, a jury wouldn't be needed. Now, if you're going to have a jury, they've got to find me guilty before you can sentence me. And if the crime I'm accused of isn't big enough to go before a jury, why of course the punishment will only amount to a fine. So you can propel right away with your mule-team; if I've done anything wrong, according to law, I'm ready to pony up for it, and if I haven't got money enough about me, maybe some friend of mine in the crowd will 'put up' for me."

"I'm your antelope!" yelled the man-from-Red-Dog, shaking a canvas bag of gold-dust excitedly in the air, and dancing first on one leg, and then on the other, like a turkey on a hot plate. "I'll see you through ef it busts me. I'm the big cinnamon bar from Red Dog, I am!"

"Somebody put that fool out!" ejaculated the Judge, sharply.

"Have you picked out the spot where you want that 'somebody' buried?" asked the Red-Dogite, sarcastically. "Or hadn't you better 'go fur me' yourself? Ef I hit you onc't the durned old express company would want another express agent at Spur City, you bet!"

## CHAPTER XX.

### A HITCH IN THE PROCEEDINGS.

"ORDER! order!" murmured some of the partisans of the Judge, scattered among the crowd.

"Who's a-sayin' anything ag'in' order?" demanded the giant, looking about him, as if with intent to get his eyes on one of the speakers and inaugurate a free fight, there and then. "Is this a good squar' trial, or ain't it? Have you got the 'papers' packed on us, an' things fixed, so that my pard thar ain't goin' to have no sight for his money, say?" and the man-from-Red-Dog looked indignant. "That big cuss, thar, that's tryin' to boss this job, stuck his pick into my 'lead' without my sayin' ary word to him. I don't allow that ary man from hyer to Austin, big or little, Injun or white, kin call me a fool, without havin' to peel an' fight fur it. I'm ary man's antelope in a free fight, an' all I ask is a fair shake, you bet!"

"Order must be preserved, or the examination cannot go on," said the Judge, in a quiet way; he already saw that he had proceeded on the wrong track.

"That's so!" ejaculated Dandy Jim. "I never say ary word ag'in' it. I only offered fur to see Dick through if he needed rocks. I stand ready fur to put the furst man out myself, ef he's as big as the side of a house, who riles things hyer."

"That is perfectly satisfactory," said Jones, evidently desirous of calming the troubled waters that threatened to overwhelm the impromptu court of justice. "I was rather hasty, perhaps, in the use of the expression, which I addressed really more to the whole crowd than to any one man in it; and, I suppose it is as well that I should state right here that I recall the offensive word, and trust that it will be overlooked."

"That's squar'!" exclaimed the gentleman from Red Dog. "I don't knock any chip off any man's shoulder, unless he puts it there to be knocked off. Your 'pology' is accepted, Judge. I'm willing to be forgiven, an' ef I've done anything I ought to be sorry fur, I'm glad of it." And with this jocose remark, peace was once more restored, and the examination went on.

Jones saw plainly that Dick had made up his mind to take the affair coolly, and not be provoked into any violence. The Judge felt that he had lost the first point in the game, and that his adversary had the best of it at present.

"The charge against you, Talbot, is a very serious one," the Judge said, slowly; "too serious for me to handle alone. I don't want to assume any responsibility beyond what the citizens here have conferred upon me. As your life or death will hang in the issue of this trial, I shall summon a jury of twelve men, good and true, and place your fate in their hands."

The members of the crowd looked at each other, rather astonished at the words of the Judge. Mechanically, each man put the question to himself: "Of what crime is Injun Dick accused?"

"You will have a fair, square trial before a jury of your fellow-citizens here; your fate will be in their hands, not in mine," continued the Judge. "I make this remark, because, by your words, you



seemed to insinuate that I was acting unduly against you. Now, I am not aware of any reason existing why I should have a spite against you; do you know of any?"

"No," Dick replied, promptly; "but, Judge, in this world, a man ain't always able to tell his friends from his enemies. You may have some secret spite against me that I don't know anything about. I don't say that you have; I don't know any reason why you should have; I never trod on your toes in any way that I'm aware of. But, as I said before, a man can't always tell. When the ship is on the ocean, it isn't the rock that rises above the water that's dangerous; it's the one beneath the surface, that the waters hide. Just so in life. I never yet feared, or turned my back on an open enemy. I was always prepared for him; ready, willing to meet him. It's the man that strikes you in the back that's ugly—the fellow who hasn't the courage to say: 'I've got a grudge against you; look out for me.'"

"Very true; but I think you, as well as everybody else here, ought to be fully satisfied that I haven't anything against you. I'm aware that these remarks of mine are a little out of place, but when a man's character is attacked, and his motives questioned, he had better settle the matter right off at once," Jones said, striving to appear as just as possible. "We're convened in this room, fellow-citizens, to carry out the spirit of the law; what does it matter if we don't conform to the strict letter of it? We're after justice, that's the main point. We are far off here from civilization; we haven't got the regular machinery to work out the process of law as they have it in the East in the big cities. But, what do we care for that? As I said before, we're after justice, and law ain't always justice. I intend that this man shall have a fair trial. Twelve honest men, selected by yourselves, fellow-citizens, shall decide according to the evidence whether he is guilty or not guilty. As for myself, I'm going to lay down the law just as honestly and fairly as I know how. If I don't, when I step out of this court to the street outside I become a private citizen again, and answerable to any one of you for my acts."

A murmur of applause went round among the crowd. What fair man could take exception to the Judge's speech?

"And now we'll commence proceedings," said Jones, after the slight noise had subsided. "Dick Talbot, you do not know, then, the nature of the charge under which you have been arrested?"

Dick shook his head silently in the negative. "You are accused of stopping the express coaches on the highway between here and Austin, and by force of arms, assisted by armed confederates, robbing said coaches, and the passengers in the aforesaid coaches, of their money and other valuables!"

Nearly all within the room started in surprise, and loud murmurs of astonishment and doubt came from the lips of the miners. Such a charge, coupled with the name of Dick Talbot, seemed to them utterly preposterous.

As for Talbot himself, he seemed to be the most thoroughly astonished person in the room.

"Why, Judge!" he exclaimed, "somebody's been putting up an awful job to humbug you!"

"You deny the charge?" questioned Judge Jones, fixing his cold, gray eyes on the face of Talbot.

"Of course I do! You might as well accuse me of trying to steal the moon."

"You deny that you are the road-agent known as Overland Kit?"

If a bomb-shell had burst in that little shanty it couldn't have caused more astonishment than the question put by Judge Jones to the prisoner.

The members of the crowd stared at each other with open mouth.

"Overland Kit!" cried Talbot; "what, I?"

"Yes; are you not that notorious desperado?"

"Well, Judge, I'd like to see you prove it," Dick replied, with an air of conscious innocence.

"That I will speedily do," said the Judge, confidently. "Step forward, Joseph Rain."

That worthy instantly emerged from the crowd and advanced to the side of the table.

"This is the first witness," said the Judge. "Witness, look at the prisoner. Can you tell me—"

"I beg your pardon," interrupted Rennet, who looked upon the whole affair as a perfect farce, and the charge as too ridiculous to think of credibly, for an instant; "but, Judge, it is customary to swear a witness before he gives his testimony; otherwise, how can you tell whether the man is speaking truth or falsehood? You can't, legally, jeopardize a man's life upon the mere word, unsupported by oath, of another."

"That's so, hoss!" ejaculated Ginger Bill.

"You bet!" cried the man-from-Red-Dog, the expression "sort of clinching" the remark of the other, as a miner observed.

"Squar," said another of the miners, and various remarks of a like tenor came from others of the crowd.

Judge Jones knitted his brow; he did not like the interruption, but his own good sense told him that the point was well taken.

"Has any one in the room a Bible?" Jones asked, after a moment's pause.

The miners looked at each other in doubt.

If Judge Jones had asked for a pack of cards a dozen in the room could have accommodated him at once.

"Hasn't any gentleman got a Bible?" repeated the Judge, beginning to see a serious delay.

"Reckon thar ain't one 'round," Judge," one of the miners said, shaking his head in doubt.

"A Testament will do," the Judge remarked, beginning to show signs of annoyance.

Again the members of the crowd looked at each other with blank faces.

"Reckon thar ain't any sich thing in this crowd," Jim remarked.

"Don't believe that thar's sich a thing in town," Ginger Bill observed, dubiously.

"Well, in the absence of the article whereon the oath should be taken, we must swear the witness on his conscience," said the Judge, seeing a way out of the dilemma.

"Swear him on a chicken, Chinese style," suggested another.

"I reckon chickens are as skase as t'other things round hyer," observed another.

"I wouldn't believe that ornery-lookin' cuss ef you

were to swear him on a stack of Bibles," growled the man-from-Red-Dog, in an undertone.

"No, nor a hull hen-roost of chickens," replied Bill, who stood by the side of the Red-Dogite.

"We must proceed on the word of the witness," said the Judge.

"Stop a moment, I have a Bible!" exclaimed a clear, girlish voice; then the door of the shanty opened, and Jinnie appeared.

#### CHAPTER XXII. THE FLY-LEAF.

NATURALLY, all within the room were a little astonished at the sudden and unexpected appearance of the landlady of the Eldorado. But her presence at the door of the shanty is easily explained. Like all the rest, she had followed Judge Jones and his prisoner. Instead of entering the house, however, she had remained outside at the door. The door being ajar, she could easily overhear all that took place within the room.

For a moment, a dark and lowering frown clouded the face of the Judge. It was caused by the sudden appearance of the girl, but speedily it passed away. All eyes being turned upon Jinnie, none noticed it but the girl herself. It did not escape her sharp eyes, and she understood the cause of the Judge's anger. But she advanced within the room with a light step and upright carriage.

"You have the book?" the Judge questioned.

"Yes; I'll bring it if you want it," Jinnie replied.

"If you will be so kind, Miss Jinnie," the Judge said, blandly, but there was a look in his eyes that plainly revealed to the girl the bitter anger that was in his heart.

"I'm going to bring the book, Dick, because it may help you to have this fellow—" and the girl glanced contemptuously at the witness, Joe Rain—"bound down by oath; perhaps it will keep him to the truth. I heard 'em when they asked for it first, but I wouldn't say anything, for I thought that if they didn't get it they wouldn't be able to go on; but since they are to put the thing through *anyway*, why, it is better to have 'em swear to what they say."

"Thank you, Jinnie," replied Dick, a slight tinge of color flushing his cheeks. "I sha'n't forget your kindness."

There was very little expression in his voice, small meaning in his words, but there was a look in his clear blue eyes that made the heart of the girl leap for joy.

"I'll bring it right away, Judge!" Jinnie cried, hastily, and she ran out of the shanty.

The Judge leaned his head on his hands, hiding his face from view; he felt that he could not conceal the rage that was burning in his heart.

The crowd gathered in little knots, discussing the strange occurrences of the last few hours.

The witness, Joe Rain, leaned on the edge of the Judge's table, and looked around him with a stolid face.

Talbot stood upright, straight as a pine tree, folded his arms over his breast, and with his gaze fixed afar off on vacancy, lost himself in thought, and by the smile that appeared upon his lips, one would have guessed that his thoughts were of a pleasant nature.

"That gal's a trump!" said Bill, emphatically. "She wasn't a-goin' to produce the Testament when she thought a-holdin' of it back would help Dick; but the minnit she found that a-fotchin' it out would be good for him, she goes fur it thar an' then."

"Tain't no use to swar that cuss," growled Jim; "he'll lie, anyhow."

"Begorra, he's like a cousin of mine in County Kerry," chimed in the Irishman, Patsy—"a cousin, four times removed, d'ye mind; he was sich a great divil to swear that he'd swear the legs from off an iron pot, or a hole through a tin saucepan, an' think no more of it than of 'ating his praties, bad 'cess to him!"

"Look-a-hyer! You're kinder pilin' it on, ain't ye?" questioned Bill, doubtfully.

"By the piper that played before Moses, it's the honest truth I'm spakin'!" affirmed the Irishman. "Shure, he'd swear that black was white, an' that white was no color at all."

"Say, Judge, kin I hev a word with Dick?" asked the Red-Dogite, abruptly.

"I see no objection," replied Jones, raising his head for a moment.

Jim approached Talbot.

"Say, Dick," he said, mysteriously, in a low tone, "I've got a question fur to ask you; will you answer it?"

"Yes, of course, if I can."

"Oh, you kin, easy 'nuff," replied Dandy Jim.

"Now, on yer word of honor, old pard—'hope I may die,' an' all that sort of thing—what war your hand worth when these fellers went for you up in the Gully?"

Talbot laughed at the question, asked with so many words.

"A pair of queens," he said.

"And I had two leetle pair!" exclaimed the man-from-Red-Dog, in disgust. "Why, I would have raked the pile. Durn their skins, why didn't they wait until we played the hand out?"

And then Jim retired, growling to himself.

With a face glowing with excitement, Jinnie re-entered the room, carrying a little Bible in her hand.

"There it is, Judge," she said, placing it on the table. Then she retired a little way, and mingled with the crowd, the men respectfully making room for her.

"Thank you, Miss Jinnie," said the Judge, politely, raising his head from the shade of his hands, and pushing the book toward the witness. "You solemnly swear that the evidence that you are about to give in this—"

"Oh, Judge!" cried Jinnie, suddenly, her face in a flame.

The Judge, thus interrupted, stopped in his speech, and looked at the girl in astonishment. Her face was as red as fire, and she was trembling with excitement.

"What is it?" Jones asked, in astonishment.

"My Bible, please—for a moment—I forgot something," and Jinnie advanced to the table, her outstretched hand nervous with agitation.

"Certainly," said Judge Jones, perplexed at the unaccountable excitement of the girl.

Thoroughly astonished, Jones handed the book to her.

Opening it with a hand that shook like an aspen leaf, Jinnie tore out the fly-leaf of the book. The keen eyes of the Judge detected that there were two short lines written on the page. Jinnie crumpled the leaf up in her hand, thrust it hastily into her bosom, and then, replacing the book on the table, retreated to her former position among the crowd.

Of course, her motive was plain to all within the room. There was something written in that book she did not wish other eyes to see.

The Judge administered the oath to the witness; and then proceeded to question him.

"What is your name?"

"Joe Rain."

"Your business?"

"Haven't any at present."

"What was your former occupation?"

"Road-agent."

There was a visible sensation among the inmates of the room at this declaration.

"When you say 'road-agent' you mean that you were a robber—highwayman?" questioned the Judge.

"Yes," replied the witness.

"Had you companions in your robberies?"

"Yes—two."

"Name them."

"Jimmie Mullen and Overland Kit."

"Overland Kit was your captain?"

"Yes."

"Where did you part with him last?"

"In a cave that we had as a hidin'-place up in the mountains. The captain said the country was gettin' too hot to hold us, and that we must disband. He divided the plunder, and we separated."

"Would you know Overland Kit if you should see him now?"

"Yes," answered Joe, promptly.

"Look around you."

The witness did so.

"Is Kit in this room?"

"Yes."

"Point him out."

"That's the man—the fellow you call Dick Talbot," and Joe pointed directly to the prisoner.

A murmur of astonishment filled the room at this direct accusation.

"You are certain that yonder man is Overland Kit, the leader of the road-agents?" said the Judge, slowly.

"I am swearin' to it," replied Joe, confidently.

"Prisoner, you are at liberty to ask the witness any question that you like," said the Judge, the expression upon his face fully betraying his belief that he had Talbot in a tight place.

"Well, I would like to ask a few, Judge," Dick said, calmly. "Hasn't Overland Kit a full black beard and long black hair?"

"Yes," answered Joe, readily, an insolent smile upon his face.

"Yet I wear no beard except this chin-piece, and my hair is short, curly, and brown in color."

"That's because when you called yourself Overland Kit, you wore a wig and a beard of false hair. I'm sorry fur you, Cap, but I've got yer. I saw yer in the river-road yesterday, heard you speak, and knew that you war my meat in a twinklin'!" exclaimed Joe, with a leer of defiance.

"This court will now adjourn," said the Judge; "the evidence fully warrants my holding you prisoner on this charge. To-morrow you shall have a formal trial. In my mind, however, from the evidence, there is no doubt about your guilt."

#### CHAPTER XXIII.

##### GIRL OR WOMAN.

SLOWLY the little crowd emerged from the shanty, the preliminary examination over, and Dick Talbot held a prisoner, accused of being the notorious road-agent, Overland Kit.

It was arranged that the express-office was to serve as Talbot's prison, guarded by the four men who had volunteered to go with the Judge in his expedition to Gopher Gully, that had resulted so unluckily to Injun Dick.

Joe Rain, the witness, was taken to another shanty near by, also placed under guard, with strict injunctions that no one should have communication with him. The Judge did not intend that the important witness for the government should be tampered with in the interim that intervened before the hour of the trial.

Judge Jones was leaving nothing undone to secure a conviction. The motive that urged him on was powerful indeed.

Talbot, within the shanty, was left alone to reflect upon the unexpected course of events.

Without, the express-office was guarded by the four volunteers, revolver in hand.

Ginger Bill, the stage-driver, and Patsy, the Irishman, guarded the back of the shanty and the side of it looking to the north, while the two other miners guarded the front and the south side.

"I say, Patsy, the idea of the Judge askin' for a good book among such a crowd of rough cusses as we are! If it hadn't a' bin for showing disrespect, I'd a' haw-hawed right out."

"Faix, an' I kin near doin' that same meself," said the Irishman. "To be askin' the likes of us for a book, good or bad! Barrin' the gurls, I don't believe there's a book in the camp."

"You don't want to gamble on that, my gentle friend from Cork, or you'll get flaxed like thunder," Bill remarked. "I've got a book in my pocket now."

"Is it the likes of yees that would be after readin'?" exclaimed the Irishman, incredulously.

"Let yer eyes go fur it," replied Bill, majestically, drawing a small and well-thumbed volume from his pocket.

By the light of the moon, now shining dimly in the heavens, Patsy looked at the book, which, to the stage-driver, was a treasure.

"B'adle's Dime Novels—The Red Coyote," said Patsy, spelling out the title. "Oh! I've heerd of thim."

"Bill!" said a low, cautious voice.

The two men turned in astonishment.

From the shelter of the shade cast by a neighboring house came the girl, Jinnie. She advanced to where the two men stood. They looked at her in amazement.

"Why, Jinnie, what are you doing hyer?" Bill asked.



The face of the girl was pale, and the red circles around her swollen eyes told that she had been weeping. Even the not over keen eyes of the two men detected the traces of suffering so evident.

"I want to see Dick," the girl said, plaintively.

"Well, I don't know," Bill replied, dubiously.

"I must see him, Bill!" she cried, excitedly.

"Say, Jinnie, you ain't a-goin' to fix things so he kin git away, are you? 'cos I gave my word for to watch him like a thousand of bricks."

"How can I aid him to escape?" Jinnie asked, mournfully. "I only want to speak to him, that's all. He may want somebody to come and speak for him at his trial. Judge Jones has got a spite against Dick; I know the reason of it, too. He don't intend that Dick shall have a fair show, if he can help it. Dick was always a friend of yours, Bill; ain't you willing to help him a little, now that he has got into trouble?"

"You bet!" cried Bill, emphatically.

"Then let me speak to Dick through that window there. You can keep a watch on me; he can't escape, even if he wants to, with you two here, with your revolvers."

"True for yeess," said Patsy, quickly; "let the gurl see him; where's the harum?"

"That's so; sail in, Jinnie; but, I say, the window is always fastened inside," Bill remarked.

"Yes, I know that, but I unfastened it when I was inside during the examination," Jinnie replied. "I thought that, perhaps, I might get a chance to speak to Dick."

Bill gave vent to a low whistle. The forethought of the girl rather astonished him.

"All right; go in, lemons."

Jinnie did not wait for a second bidding, but hurried forward toward the house.

"Did yeess hear the gurl spake about our revolvers?" asked Patsy. "Beggorra! I niver had a revolver but onc't, an' thin 'twas a bowie-knife."

Jinnie, catching hold of the window-sash—the window, which was a small one, swung on hinges to one side—pulled it open. Talbot advanced to the window, and could not repress an exclamation of surprise when he beheld the girl.

With a cry of joy, Jinnie threw her arms around Dick's neck, and pillowed her head upon his breast. For a few moments, sobs shook the slight frame of the girl, and the tear-drops came freely from the large eyes that seldom sought the consolations found in weeping.

Talbot drew the girl tenderly to his breast.

"Why, Jinnie, you are crying? I never saw you cry before, in all my life," he said, softly.

With a great effort, she forced back her sobs, and raised her tear-wet eyes to his.

"I don't ever remember crying before, since I was a little girl," she said, in a voice broken by emotion. "I s'pose all the cry that ought to have come before, has come now, just like the spring floods in the Reese. Oh, Dick! I feel so bad!" and again the little head, crowned with the rare-tinted red-gold locks, went down upon his breast, and the convulsive sob checked the voice of the girl, as she clung closely to Dick, and pillowed her head on the heart of the only friend she had in the world.

Dick wound his arms still tighter around the girl, and drew the little trembling form still nearer to him.

"You poor child!" he murmured, kissing the golden hair, the glory of the shapely little head. "I never saw you so agitated before, Jinnie; you've always been such a—such a little man; so plucky and full of spirit." Dick was hesitating for words to express his meaning.

"That's just the way I don't want you to think of me!" exclaimed Jinnie, her voice broken by sobs.

"Not think of you that way?" said Dick, in astonishment.

"No; I ain't a little man; am I?" questioned Jinnie, still sobbing.

"Why, no; of course not," replied Talbot, rather perplexed by the strange behavior of the girl.

With a determined effort, Jinnie once more choked back her sobs. Again she raised her eyes, and looked into the face of the man to whose breast she clung.

"What am I?" she asked, abruptly.

"Eh?" questioned Talbot, in amazement.

"Don't I speak plain, Dick?" she cried, impatiently, the tears again gathering in her large eyes. "What am I? a bear—a hog?"

"No, no," interrupted Dick; "you are a very pretty little girl."

"Nothing else?" demanded Jinnie, pouting.

"Why, yes; a very good little girl—"

"Nothing but a girl?" interrupted Jinnie, pouting still more.

"What else would you be?" asked Talbot, in wonder.

"What you can't see that I am; a woman!" exclaimed the girl, in an aggrieved tone.

"A woman?"

"Yes; I'm sixteen; and I'm a great deal older than that in knowledge—at least so everybody says."

"And you want me to look upon you as a woman rather than as a child?" Talbot asked, a strange expression upon his face.

"Yes," replied Jinnie, promptly.

"Then I mustn't let you do this any more."

"Do what?" Jinnie asked, in wonder.

"Why, let you cling to my breast as you are clinging now; I mustn't kiss you any more, or smooth your hair back from your forehead. Such acts of familiarity which may be permitted with the child, are improper with the woman."

"And you can't pet me any more?" asked Jinnie, a wistful look in her large eyes.

"No, not if you are a woman."

"Well, I'll still be a child with you, if I'm a woman with every one else," she said, abruptly, after thinking for a moment.

"That's a sensible little girl!" exclaimed Talbot, gravely, kissing the little brown forehead as he spoke.

"And now, Dick," said Jinnie, suddenly, "can't I do anything to help you out of this awful hole?"

"I don't know, Jinnie," Talbot replied, thoughtfully. "This fellow will swear terribly hard against me. I can see that already. I think I can prove the difference that exists between Dick Talbot and Overland Kit, but Judge Jones is going to convict me if he can. If he can get public sentiment aroused against me here, and rush the trial through on the

evidence of this fellow, without giving me a chance for my life, I'm a gone man."

"But, Dick, isn't there any friend who could help you?" the girl asked, anxiously.

"Yes, one!" cried Dick, a bright thought coming to him. "Let me whisper in your ear."

A lengthy communication it was that Dick whispered. Then Dick pressed another kiss upon the low forehead of the girl, and she hastened away, her heart beating high with hope.

#### CHAPTER XXIII.

##### GREEK MEETS GREEK.

TEN o'clock, on the morning following the examination, found the mining-camp known as Spur City in a terrible state of excitement.

As one old gray-haired miner remarked, "He hadn't seen sich a heap of people in town since the day when the first woman and baby arrived from the East." An event, the knowledge of which traveled with railroad speed from camp to camp in the mountain gullies, and which brought every miner within thirty miles into town, to see the sight. And, as the husband of the woman and the father of the baby happened to be a shrewd West Virginian, he instantly "went in" to accumulate a small fortune by charging a "bit" apiece for admittance to the tent where his family resided! The unfortunate arrival of two other women and two other babies, some three days after the first, "busted" the speculation. The miners were like all other people who run after curiosities. They didn't care to see sights which had become common.

The old miner who uttered the above-quoted remark regarding the number of people in town, was reputed to be one of the oldest inhabitants. He had been in Spur City full three years, and had seen the camp grow up from one tent to some fifty tents and shanties combined. Of course his words had weight.

Speculation was on tiptoe regarding the chances of Injun Dick's acquittal or conviction.

The state of the betting, perhaps, indicated how the popular pulse of Spur City beat in regard to the matter, better than anything else. Four to one that Dick was acquitted went begging; few cared to risk their money that he would be convicted, even at that odds.

One loud-talking gentleman shook his canvas bag of gold-dust freely in the air, and offered to bet four to one that Talbot would be acquitted, and followed it with a side bet that he could flax out Judge Jones and the witness, Joe Rain, inside of a quarter of an hour single-handed, or any two men on the jury.

It is perhaps hardly necessary to remark that this reckless better was the man-from-Red-Dog.

None cared to accept his offer, though.

As a general rule, the miners scouted the idea that Injun Dick could, by any possibility, be the road-agent, Overland Kit.

Judge Jones, urged onward by the fierce passion that was burning in his heart, had been up by day-break, and since that time, he had not let the grass grow under his feet.

He had dispatched two different parties in various directions. On what mission they went, no one knew except Judge Jones and the leader of the expeditions. With one of the parties went, under guard, the valuable witness, Joe Rain.

After various consultations with the leading citizens, Judge Jones selected twelve men for the jury, and presented them for the assembled people to pass judgment upon.

As the twelve comprised twelve of the principal men in the mining-camp, they were elected unanimously. So the jury was formed.

A little circumstance that had occurred early in the morning had annoyed Judge Jones excessively. Just after the departure of the second expedition, the Judge was waited upon by the New Yorker, Salmon Rennet, accompanied by Dandy Jim, Ginger Bill—who had been relieved of his sentry-post at daybreak—and a couple of other citizens, friends of Talbot.

Rennet had introduced himself as a member of the New York bar, and informed the Judge that he had accepted the position of counsel to the prisoner.

The Judge ground his teeth in anger, when informed of the fact, but replied civilly enough.

Rennet desired to know the hour set for the trial, and when the Judge said "ten o'clock," he objected, until he could have an interview with the prisoner and ascertain something regarding the line of defense to be used. As the old lawyer explained, he had not yet seen his client in person—a fact which the Judge was fully aware of, as he had given express orders that Talbot should not be allowed to see any one.

With an ill grace, the Judge allowed the lawyer admission to the shanty where Dick was confined.

After a very short interview, not occupying more than ten minutes, Mr. Rennet waited again upon the Judge, and assured him that the prisoner would not be ready for trial until six o'clock that evening, at the earliest, as he—Rennet—would need all that time to procure certain important witnesses and prepare for the trial.

The Judge replied tersely, and with considerable asperity in his manner, that the trial was fixed for ten o'clock, and at ten o'clock it would take place whether the prisoner was ready or not.

Then Rennet blandly moved to "amend the motion," by proposing that the prisoner be hanged at ten o'clock, without any trial at all, and he added: "As it was plainly evident that the presiding Judge had made up his mind to hang the prisoner anyway, they might as well hang him without a trial as with one."

After this shot, the old lawyer withdrew. About ten minutes afterward a noise in the street attracted the Judge to the door, and, to his disgust, he beheld the old New Yorker elevated on a whisky-barrel, his hat in his hand, his white hairs flying in the breeze, supported on one side by the man-from-Red-Dog, and on the other by Ginger Bill, addressing a crowd of miners.

In about five minutes Jones became pretty well convinced that he was no match for the New Yorker.

Old Salmon Rennet, in his young days, had been a prominent ward politician in great Gotham, had won the Judge's ermine with the aid of the "unterrified" voters of the "bloody Sixth," and, besides, he was

really an able lawyer. He knew how to address a mixed audience, and it was really fun for the old war-horse of Tammany once again to mount the stump.

Inside of two minutes he had the crowd in a roar. Then he invited them to come and see the hanging, congratulated them upon having a judge so able that he hung men first, and found out whether they were guilty or not afterward.

The consequence of these few remarks was, that two minutes after the old gentleman descended to terra firma, a deputation of excited citizens, headed by the redoubtable Red-Dogite, waited upon Judge Jones, and demanded to know whether he was going to give Injun Dick a show for his life or not?

The Judge attempted to temporize, but that sort of thing wouldn't go down with the crowd that Dandy Jim headed.

"Too thin!" remarked the citizen of Red Dog, sententiously. The growl that followed Jim's terse expression, from the crowd, had a similar meaning.

Jones reflected. He knew that he was backed by all the more respectable of the citizens; but he also knew that he was powerless to carry the majority of the Spur-Cityites with him, unless some overt act was committed to serve as an excuse for a call upon the Vigilantes. If Dick had shot a man down in cold blood, the deed, coupled with his well-known mode of living—by playing cards—might have been sufficient to have raised a mob, and strung him up to the first tree that came handy. But, in the present case, until Dick was proved to be the road-agent, Overland Kit, beyond the shadow of a doubt, it would not do to act rashly.

That he could prove that Talbot was the road-agent, Jones had no doubt.

And so Judge Jones was forced by the popular clamor, raised by the speech of the wily old lawyer, to grant what he might readily have yielded with a good grace in the first place.

The trial was fixed to come off at six o'clock that evening.

When it became noised about town that the "old fat cuss, in store clothes," as the miners irreverently termed Mr. Rennet, was a celebrated lawyer from New York, and that he had undertaken the defense of the prisoner, the state of the odds in the betting market changed at once. All those reckless souls who had bet one to four that Talbot would be found guilty, went round with bags of gold-dust in their hands, and "tears in their eyes," imploring somebody to take their offer of thirty to four that Dick wouldn't be found guilty.

As we before said, no better example of how public sentiment regarded the matter can be given than the statement of the odds offered.

Judge Jones, looking out into the street, could see the old lawyer surrounded by a group of Talbot's friends, busy as a beaver. Horsemen kept riding up, making reports, and then, apparently, departing on other missions.

Jones groaned in agony. He suspected that the lawyer's services in behalf of the prisoner was a blow dealt him by a woman's hand; but he little guessed that he was fighting two. The rivals, Bernice Gwyne and Eldorado Jinnie, had made common cause against him in behalf of Talbot.

#### CHAPTER XXIV.

##### THE TRIAL.

As the hour for the trial drew near, the express office was the center of attraction.

It soon became evident to all that the shanty was much too small to hold the Judge, the jury, the prisoner, the witnesses, and the lawyers, to say nothing of the people.

After considerable discussion, an adjournment to the open air was suggested. This was soon adopted unanimously, and gave general satisfaction. The citizens of Spur City, and the neighbors who had been attracted from the surrounding camps by the news of the trial—it is astonishing how news of this sort will travel, and how fast it goes—naturally objected to being deprived of a chance to see the show.

So the court, which was to try Dick Talbot, better known as Injun Dick, and find out whether he was Overland Kit or not, assembled in the open air.

A table was placed for the Judge, the jury were accommodated on two pine benches. A dry-goods box (the only one, by the way, in Spur City, which had been freely contributed by its public-spirited owner, when he had learned that it was needed, for, as he expressed it, he "wouldn't hev had the fun stopped for any o'nery old box, nohow," served for the prisoner, the top and one side knocked out. A barrel, with a board nailed to one end, and set upright, was for the witnesses. The Testament had been put in charge of a careful, reliable man, as it had been discovered, after a thorough search, that it was the only one in Spur City. Now it was laid on the board, and the person in charge stood near by to see that no one handled it, for even the rough miners, with all their lawless ways, had a profound respect for the "Word," which has come down to us intact through so many long years.

The Judge took his seat, the jury theirs. The prisoner was placed in the box, the guards encompassing him to prevent all chance of escape. By the side of Talbot sat the old lawyer, a confident smile upon his face. A knot of witnesses, who had been summoned, were on the other side, clustered together by the side of the impromptu witness-box. Seated in a chair, by the side of the old lawyer, was Bernice Gwyne, who had been summoned as a witness.

The sun had gone down behind the far western peaks, but the clouds were tinged gold, purple and crimson by his dying rays.

The balsamic odor of the pines swept down along the valley, borne on the bosom of the gentle breeze. The Reese, a sheet of flame-colored satin, from the reflection of the gorgeous clouds above, rippled on over rock and ledge, and golden-hued sands, a realization of the fabled river "Eldorado," of the Spaniard, as if a human being's life was not in peril, ten paces from its banks.

Judge Jones opened the court.

"As I cannot find any citizen willing to act as prosecuting attorney, I shall be obliged to question the witnesses against the prisoner myself; but the prisoner at the bar may rest assured that I desire to extract nothing but the truth, and that he shall have full justice done to him."

Talbot bowed, but replied not, while old Rennet smiled serenely to himself.



The first witness was Bernice Gwyne.

She related simply that the outlaw had entered her room, engaged her in conversation for a few moments, then came the attack upon him and his flight. The subject of the conversation was not touched upon, further than that Overland Kit had declared himself to be her cousin, Patrick Gwyne, and had warned her to leave Spur City.

At the end of her recital, Judge Jones spoke.

"Do you detect any resemblance between the person of the prisoner at the bar and the outlaw?"

"None at all," Bernice replied, firmly.

"Do you detect any resemblance between the prisoner at the bar and your cousin, Patrick Gwyne?" the Judge asked.

"I object to that question!" cried the old lawyer, on his feet in a moment—one of the miners had kindly provided him with a keg to sit on.

"Why do you object?" asked Jones, knitting his brows.

"The question is irrelevant."

"It is not!" cried the Judge.

"What is its purpose?"

"To establish the fact that the prisoner at the bar is Patrick Gwyne."

"Exactly; but if the court knows itself, the prisoner is not accused of being Patrick Gwyne, but of being Overland Kit."

"Certainly; we allow that; we may not be proceeding according to the exact forms of law, but we are after justice. If I can prove that the prisoner is Patrick Gwyne, and that Overland Kit is Patrick Gwyne also, it is clear to my mind that we establish the prisoner's identity as Overland Kit."

"Let me answer the question, please," said Bernice, suddenly.

The old lawyer took the hint at once, and sat down.

A smile of triumph appeared in the eyes of the Judge.

"Let me put the question again, miss, so that the jury will understand it fully," and the Judge looked at the gentlemen of the jury meaningly, as much as to say, "Take notice, now."

"Do you detect any resemblance between the prisoner and your cousin, Patrick Gwyne, who came to you disguised as Overland Kit?" said the Judge, slowly, measuring out, as it were, every word.

"Well, bless my soul!" muttered the old lawyer, in an undertone, "if that isn't a nice way to put a question—and he wants nothing but justice! Whew!"

Bernice fixed her eyes fully upon Talbot. The crowd held their breath to listen.

"I have not seen my cousin, Patrick Gwyne, for ten years, but in the face of that gentleman, I do not trace a single resemblance to him."

The old lawyer chuckled; the Judge had got rather more than he bargained for.

Jones bit his lip nervously, hesitated for a moment, then he spoke again:

"Of course ten years would naturally make a great change in a man."

"That's for the jury," muttered Renet; "and he wants justice!"

"I am through with the witness." Then the Judge sat down.

Renet got up.

"Relate when and where you first saw this Overland Kit," he said.

Bernice told the story of the road-agent stopping the coach.

"When and where did you first see the prisoner at the bar?"

"At the Eldorado Hotel when I arrived here. He was in the saloon when I entered."

"You came straight from the place where the coach was attacked to the hotel?"

"Yes."

"Coach go fast or slow?"

"Very fast."

"How far from here do you suppose the place was where the coach was stopped by the road-agent?"

"Some ten miles, I should think."

"Geyser Canyon, eight miles," said Ginger Bill, from the crowd.

"Thank you; the information about the distance and the name of the canyon is not, of course, given under oath, gentlemen of the jury; but it is hardly necessary to speak of that; it is a mere question of distance and locality. Probably, nearly all of you are aware of the truth, or falsehood, of the remark. All that I want to call your attention to, is the fact that, on the night in question, the coach was stopped some eight or ten miles from this place, by this Overland Kit, the man's person sworn to by this lady; yet, when she entered the Eldorado saloon an hour or so later, having come directly from the scene of the robbery, at the topmost speed of the coach, the first person she saw, when she entered the Eldorado, was the prisoner at the bar. When you remember, gentlemen of the jury, that the outlaw was chased into the mountain passes by the United States troops, and that the coach came directly on to the hotel here, you will clearly see the impossibility of the prisoner at the bar being the road-agent, Overland Kit; unless, indeed, he possesses the marvelous faculty of being in two places, some eight or ten miles apart, at the same time. In fact, a clearer *alibi* than this, I don't think that I have ever seen proven in the whole course of my professional experience." Then Renet sat down.

It did not require the wisdom of a Solomon to see that Talbot's case was won already, unless some strong evidence against him, against which there could be no caviling, could be introduced.

Ginger Bill, the driver, was called to the stand; he confirmed Bernice's statement regarding the appearance of Kit on the road, and finding Talbot in the saloon; also the distance and the locality of the robbery. Then, in answer to the Judge's questions, he gave an account of his share in the attempt to capture the outlaw in the hotel; the running fight up the street; and the arrest of Dick, while playing poker in the Cosmopolitan Hotel, in Gopher Gully.

Renet only asked Bill three questions.

"What time did the affair in the hotel take place?"

"Bout eight o'clock; maybe half-past."

"After the fight, did you go directly to the Gully to arrest the prisoner?"

"Yes."

"What time did you get there?"

"All along from nine to half-past; it takes 'bout an hour to walk it."

"You see, gentlemen of the jury, that Overland Kit was in Spur City, engaged in an armed contest with the citizens, at eight or half-past eight. That fact is clearly proven by the testimony of this witness; an hour or so later, he arrested the prisoner at the bar, in Gopher Gully, four miles off. This is important, because we have a witness ready to prove that the prisoner entered the Cosmopolitan Hotel, in Gopher Gully, at eight o'clock precisely, the very time when—if he is Overland Kit—he was fighting the citizens in Spur City."

#### CHAPTER XXV.

##### AN UNEXPECTED WITNESS.

The light of the torches flared up into the night. In the glare of the flames, the actors and spectators in the strange scene that was being enacted in the center of Spur City looked grotesque and unnatural.

The little crowd of lookers-on watched the faces of the jury eagerly, as though striving to read in their features the fate of the prisoner.

Talbot, with a quiet smile upon his face, seemed to be the most unconcerned of all the little gathering.

Judge Jones looked anything but pleased with the way that affairs were tending. He felt that he was no match for the able New Yorker. So far, the evidence had tended to prove Dick's innocence rather than his guilt. The frown upon Jones's stern face deepened, and the angry glare that shot from his eyes told plainly of bitter hatred.

Joe Rain was called to the stand. On his evidence the Judge depended. If it failed to impress the minds of the jury with the conviction of Talbot's guilt, the game was up as far as the Judge was concerned.

Joe was sworn.

"Do you know the prisoner at the bar?" the Judge asked.

"Yes," answered Joe, promptly.

"State how you became acquainted with him."

"Bout two months ago, I an' a pardner were a-prospectin' in a gulch 'bout twenty miles north of Kennedy's Ranch. One night, a chap comes along an' makes my pardner an' myself an offer to jine him in a leetle speculation. Seein' as how the prospect looked good, we agreed to jine him, an' did."

"That was the way you became acquainted with the prisoner, eh?" asked the Judge.

"Yes."

"What name did you know him by?"

"Overland Kit," replied Joe.

There was quite a sensation among the crowd at this prompt reply, and even the jurymen looked earnestly at Talbot, to note the effect of the speech upon him. But not a muscle of his face moved. Injun Dick had been in many a "tight place" in his life, and as he had always met danger with a bold front, it wasn't anything astonishing that he didn't flinch now.

"You are sure that the prisoner at the bar is the man that you knew who called himself Overland Kit?" the Judge asked, with measured accent.

"Yes, I'm a-swearin' to it!" exclaimed Joe, emphatically.

"You see, gentlemen of the jury," said the Judge, addressing the twelve, "that this witness, who is well acquainted with the road-agent, Overland Kit, swears positively that the prisoner at the bar, commonly known as Dick Talbot, is Overland Kit."

The jury looked puzzled. So far, the evidence was very conflicting.

The old lawyer got up.

"Has my learned brother got through with the witness?" he asked, in his bland, oily way.

The Judge nodded assent.

"What is your name?" he asked.

"Joe Rain."

"Your occupation?"

"Nothin' at present."

"You have stated that you and Overland Kit were partners in a speculation. What was the nature of that speculation?"

Joe scowled and cast a glance at the Judge as if to ask whether he should answer the question or not. The old lawyer detected the covert glance at once, and pounced down upon Joe as the hawk pounces upon a chicken.

"Look at the jury, witness; why do you hesitate to answer my question?"

"I cannot see why the witness should be obliged to answer such a question as that," said the Judge, quickly, with a frown on his face.

"Oh, don't you?" exclaimed the old lawyer, sarcastically. "Well, I trust I shall be able to show you before I get through with this man."

"I rule that the witness is not obliged to answer that question," said the Judge, with dignity.

"Oh, very well—very—well!" exclaimed Renet, in measured tones, a peculiar smile upon his face.

"I'll put another question to the witness. You say that you recognized the prisoner at the bar as the man who was your partner in a speculation—the nature of which you object to stating—and who was known as Overland Kit?"

"Yes," answered Joe, doggedly. He didn't feel very comfortable under the searching gaze of the lawyer.

"You are quite sure of it?"

"Yes."

"Did you ever see Overland Kit dressed like the prisoner at the bar?"

"Well, no; I can't say I ever did," Joe answered, slowly.

"If I have been informed rightly, Overland Kit has black hair, worn quite long, and a heavy black beard. Is that true?"

"Yes, but the ha'r an' beard were false."

"How do you know that?" asked Renet, sharply.

"Why, I see'd it."

"That is, you mean you *guessed* it?"

"I reckon I'm sure of it!" exclaimed Joe, confidently.

"Overland Kit always wore a black mask over his face, I believe?" Renet said.

"Yes."

"Did you ever see him when the mask wasn't over his face?"

"Well, no," Joe replied, slowly; he began to have an idea that the lawyer was leading him into a trap.

"Then you have never seen Overland Kit without his mask, his black hair and beard?"

"No," Joe said, very slowly and reluctantly.

"That is, you mean to say that you have never really seen the face of the man at all?"

"Why, no; I've see'd it, in course—"

"But covered by a mask and a heavy beard?"

"Yes."

"And you positively swear that the prisoner at the bar is Overland Kit?"

"Yes, I do," Joe replied, savagely.

"You swear to the face that you never saw?"

"Well, I didn't recognize him by his face!"

"What then?"

"By his voice; I kin sw'ar to that."

"You are really a most remarkable man." The tone of the lawyer was sarcastic in the extreme. "How much are you going to get for this swearing?" Renet asked, suddenly.

"Why, the reward, of course," answered Joe, quickly.

The Judge looked annoyed.

"Oh!" and Renet looked astonished. "You expect the reward, then, offered for the apprehension of Overland Kit? Possibly that is the reason why you are swearing so strongly that this man here is Overland Kit, eh?"

"I know he is!" exclaimed Joe, angrily.

"I'm satisfied," and Renet sat down.

Joe left the stand.

"Have you any witnesses for the defense?" the Judge asked.

"Yes, I had one or two," Renet answered, rising, "but I don't think that it will be necessary to examine them. I think that we have already proved the falsehood of the charge brought against the prisoner by the very witnesses who were brought forward to convict him, I am willing to rest the case here. Will your honor sum up against the prisoner?"

"I think that it is unnecessary; you can proceed," Jones replied.

"Thank you," said Renet, politely. "Gentlemen of the jury, from the evidence presented, you can have but one opinion as to the innocence or guilt of the prisoner. I have clearly proven two *alibis*. As to the evidence of the last witness, the gentleman who declines to state the nature of the business in which he was interested, in conjunction with the road-agent, and who honestly confesses that he expects to get the reward offered for Overland Kit for his pains, why, I leave it to your own good sense to decide what it is worth. All I have to say about it, is that the man who can swear to another man whose face he has never seen, and identify him by his voice alone, is really a most astonishing instance of human penetration."

The lawyer paused for a moment to catch his breath, when, from behind one of the shanties that stood nearest to the crowd gathered around the scene of trial, came a horse and rider.

With breakneck speed, the horse dashed up the street.

The glare of the torches flaming on the night-air, cast a weird light upon the steed and rider. A single glance the astonished crowd cast upon the stranger, and the truth burst upon them. The brown horse with four "white stockings" and the broad blaze in the forehead was well known to the miners; so, too, was the horseman, with his black mask and flowing beard.

"Overland Kit!" shouted the crowd, in wonder.

#### CHAPTER XXVI.

##### THE TRAITOR TRAILED.

ONWARD, at furious speed, went the horse, the rider sitting in the saddle as if he were part of the animal. The figure of the road-agent and his noted steed was known to all.

Renet had proved pretty conclusively that Dick Talbot couldn't very well be Overland Kit, but the new-comer was a witness whose testimony could not be disputed.

Seeing was believing, and, as both Judge, jury and spectators beheld Injun Dick in the prisoner's box, and, at the very same moment, saw the road-agent, Overland Kit, in person, dash up the street; riding with the speed of the wind, they came to the wise conclusion that Dick Talbot and the outlaw, Overland Kit, could not, by any possibility, be one and the same.

The majority of the crowd made a bold dash after the outlaw, and the revolver-shots rung out sharply on the still air of the night. But the rider seemed to bear a charmed life. With the speed almost of the iron horse, he flashed through the street and disappeared in the darkness beyond. The quick thud of his horse's hoofs alone could be heard, and they were soon lost amid the sound of the Reese, rippling over the rocks.

The sudden appearance of the horse and rider acted differently upon the prominent persons concerned in the trial. The face of the Judge grew white with anger, and he cast a furious glance at the witness, Joe Rain, who stared with open mouth and straining eyes upon the unexpected arrival. Talbot's face was as white as the face of the dead, and he bent down his head as if in thankfulness for his narrow escape; but when the report of the pistols rung out sharply on the air and mingled with the rapid hoof-strokes of the flying steed, he trembled convulsively, like one stricken with an ague. Perhaps he thought how near he himself had been to death.

Bernice gazed with a stony glare upon the horseman. Her teeth were clenched, and a strange, unnatural look was upon her face; her breath came thick and hard; one hand she clasped to her heart, as if she wished to still its tumultuous beatings.

Old Renet stood smiling with delight, and he rubbed his hands softly together.

After the horseman had disappeared, the court once more came to its senses.

The foreman of the jury got up. He was a Jew, who kept the principal store in Spur City; by name, Moses Cohen. The miners, however, had recklessly abbreviated his name into "Old Moses."

"Shentlemen, ash Overland Kit ish 'ust gone by, it ish ash plain as can be dat Meester Talbot cannot be him."

There was no one bold enough to gainsay the truth of this; so, with one voice, the jury shouted, "Not guilty!"

This proceeding was not very regular, but it was very pleasing to the crowd.



"Hooray!" and the man-from-Red-Dog leaped about three feet up in the air in his joy; "let 'em out ag'in! Whar are you now, Judge?"

Judge Jones did not answer the query, but silently walked away, a lowering frown upon his stern face. The court had broken up on the instant. Talbot was surrounded by his friends, warmly congratulating him on his lucky escape. Bernice, with Rennet, had withdrawn to the hotel. She walked with heavy steps, a load upon her heart, and a strange, puzzled expression on her face.

Rennet was mentally congratulating himself.

"The idea of me, an old Sixth Warder, being beaten in a law-case by any one-horse Western Judge!" he muttered, complacently, as he walked along, never noticing how pale and ill Bernice looked.

The Judge proceeded directly to his office, entered it, lit a candle, and sat down. He pressed his hands nervously upon his temples, as though he wished to still the busy thoughts that were raging in his brain.

Gloomy and sad he looked. Suddenly the door opened, and Joe Rain entered. He closed the door behind him, and surveyed the Judge with a grin.

"Wal, a nice mess we made of it, didn't we, eh?" he said, putting his tongue in his cheek.

"You infernal villain!" cried the Judge, with rising anger, "why did you come to me and say that you could put your hands on Overland Kit, when you couldn't do anything of the kind?"

"All men make mistakes sometimes, don't they?" replied Joe, sullenly. "Besides, Judge, I thought I had the right man, sure."

"You lie, you villain!" exclaimed the Judge. "You knew well enough that this Talbot was *not* Overland Kit."

"I sw'ar, Judge, I was ready to take my oath—as I did—that he was the man. I never heard two voices so much alike in all my life," Joe replied.

"But you recognized the road-agent when he dashed through the crowd?"

"Oh, yes, you bet!" cried the ruffian; "thar ain't no mistakin' that blood hoss of his'n. He's jist chain-lightnin' on the go; thar ain't anything that goes on four legs round this hyer valley that kin outrun him, or her, rayther, 'cos it's a mar'."

"What made you think that this Talbot was Overland Kit?"

"'Cos he's got Kit's voice; I kin sw'ar to that."

"You've made a nice mistake," said Jones, dryly. "The best thing that you can do is to get out."

"That's my platform, Judge," replied Joe, coolly. "I jist dodged in hyer to git out of the way of some fellers who were a-talkin' putty loud 'bout a rope, a pine tree, and a cuss 'bout my heft at the end of the rope. I reckon if some of this Injun Dick's friends git hold on me, they'll kinder make it lively fur me."

"That's very probable."

"I've got for to git up an' dust mighty sudden now, I tell you!" Joe said, with a grin.

"Yes. Talbot's friends will be after you."

"Oh, I ain't afeard of them so much."

"Who, then?" the Judge asked, in wonder.

"Overland Kit!" Joe exclaimed, mysteriously, and with a careful glance around him, as if he expected to see the road-agent dart out of some dark corner.

"You fear Overland Kit?"

"You bet!" replied Joe, emphatically. "Why, Judge, he won't leave a stone unturned in the Reese river valley till he finds me an' wipes me out. He's a reg'lar bloodhound, he is. I've got to git out of this."

"But he will never be able to track you!" Jones exclaimed.

"That ain't safe to gamble on!" cried Joe, with a dubious shake of the head. "Kit's got friends both hyer an' in Austia. He allers knows wot's goin' on."

"Perhaps this Talbot is one of Kit's confederates," said the Judge, slowly, the thought for the first time occurring to him.

"Of course he is!" cried Joe. "Why, it's as plain as the nose on your face. Jist think how things have gone. Talbot ain't ready for trial till near dark; that's so as to have Kit dash in without danger, an' convince everybody that he ain't Talbot."

The Judge knitted his brows; the reasoning appeared to him to be sound.

"It may be so," he said, absently. His thoughts were far away, busy in attempting to plan another trap wherein to catch Injun Dick.

"And now, Judge, I'll jist take a look out and see if the coast is clear; if daybreak to-morrow finds me within twenty miles of this hyer camp, then you kin jist set me down for a fool."

Joe approached the door, opened it and looked out. There were very few people about the shanty. Nearly all the crowd were gathered about the doors of the Eldorado, further up the street. Joe gave a careful glance around, and then, with a "So-long, Judge!" he left the shanty.

Once in the open air, Joe glided around quietly to the back of the shanty, avoiding the street, and made his way down the river. He was careful to keep in the shade as much as possible, so as to avoid recognition.

"I'm so precious modest," he muttered, "that I don't keer about any cuss seein' me 'levant'."

The moon was rising slowly, a great red ball in the heavens, but the clouds were heavy and dense, and partly obscured the rays of the night-queen.

Carefully picking his way, displaying in the streets of the mining-camp the craft of the red Indian on the prairie, Joe finally arrived at the edge of the town, and, with a feeling of relief, plunged into the little cluster of pines beyond.

"All hunkey now, you bet!" he exclaimed, in exultation, as he proceeded onward with increased speed and with less caution. But, before he had gone a mile, he became conscious of a fact that chilled his blood and brought out the big sweat-drops on his forehead. Some one was following cautiously behind him; moving when he moved, stopping when he stopped.

#### CHAPTER XXVII. JINNIE SPEAKS.

Talbot's friends insisted upon adjourning to the Eldorado and celebrating his release. Despite his wishes, for there was a heavy weight upon his heart, and he felt more like seeking solitude than mingling with a boisterous crowd, Dick was forced to accompany the crowd.

Upon entering the saloon, Bill noticed that Jinnie was missing.

"Whar's the leetle woman, heathen?" he asked of the Chinese.

"She plenty sick," replied the sagacious Ah Ling, pointing upward. Bill understood by this that Jinnie had gone to bed.

"She's a plucky little woman," he said, confidentially, to the man-from-Red-Dog, "but, of course, she ain't any more than human. I reckon she thinks a heap of Dick, now."

Talbot excused himself as soon as possible, under plea that he needed rest after the excitement of the day, and withdrew from the saloon.

Upstairs in her room sat Bernice and the old lawyer. On arriving at Bernice's apartment, Rennet noticed how pale and sick the young girl looked.

"Why, what is the matter, my dear?" the lawyer asked, in alarm.

"I am not well," Bernice answered, slowly and sadly.

"Yes, my dear, I can see that plainly enough. Your face betrays that you are not well. I suppose the excitement of the trial, etc., has been too much for you."

"Yes," Bernice replied, absently, her eyes fixed on vacancy.

"You'll be all right to-morrow?"

"Yes."

Rennet was puzzled. He had known Bernice from childhood, but had never seen her in such a state before. Her whole nature seemed oppressed by some deep grief.

"Mr. Rennet, I think we had better return to New York soon," Bernice said, suddenly.

The old lawyer stared at the young girl in astonishment. During his life he had got pretty well accustomed to woman's whims, but this sudden determination of Bernice rather amazed him.

"But, my dear, you said, only a few hours ago, that you had spoken with your cousin, Patrick Gwyne, and that—"

"Patrick Gwyne is the outlaw, Overland Kit," interrupted Bernice.

"Yes, so you said, but how can you be sure that he is?"

"Why, he told me so."

"Yes, but did he present any proofs that he is the person that he represents himself to be? Did you recognize him?"

"No, I did not," Bernice said, thoughtfully, her mind reverting back to her interview with the outlaw.

"Well, then, his declaration amounts to nothing!" Rennet exclaimed. "By some means he may have learned all the particulars regarding your search for your cousin, and for some unknown purpose of his own he personates the character of Patrick Gwyne."

"Mr. Rennet, I was sure that Mr. Talbot was the outlaw, Overland Kit, and that he was my cousin Patrick Gwyne!" exclaimed Bernice, abruptly.

"My dear, how could you possibly think such a thing?" cried the lawyer. "Why, it was clear to my mind from the first, that Talbot could not by any possibility be the road-agent, and I had no doubt that he would be acquitted of the charge, although I did not expect such overwhelming proof as the appearance of the outlaw in person. Mind you, I think Talbot expected his appearance, for it was at his urgent request that I fought to have the trial postponed until six o'clock; and he particularly requested me to occupy all the time that I could in the examination of the witnesses. He said that he could not give me his reasons for this strange manner of proceeding, but he assured me that he had good and sufficient ones. And, as the darkness came on, and they lighted the torches, he told me in a whisper that time enough had been occupied, and to hurry matters forward all that I could. Now that the whole affair is over, I am convinced that he is, in some way, connected with the road-agent."

"Oh! I don't know what to think! I am in a maze!" Bernice exclaimed.

"Better go right to bed, my dear; you'll feel better in the morning." And, after giving this advice, the old lawyer left the room, leaving Bernice alone, a prey to her own sad thoughts.

"Will I ever learn the truth?" the young girl cried, in anguish. "Now I am like one wandering in a fog. I do not know which way to turn."

Bernice arose and paced up and down the little room restlessly, her features sad with anxious thoughts.

"Yesterday I felt so sure that I had discovered the truth; but now, to-day, I am more in the dark than ever."

A slight tap at the door attracted Bernice's attention.

"Come in," she said.

The door opened and Jinnie appeared. A hectic flush burned in her brown cheeks, and the red circles around her eyes told that she had been weeping.

For a moment the two girls looked at each other—a looker on would have said, like two rivals measuring each other's strength.

"I beg your pardon for intruding, miss," Jinnie said, a mournful cadence in her usually clear, ringing tone.

"A pardon is not necessary," Bernice replied, a constraint in her tone and manner, in spite of her efforts to appear unconcerned. "What do you wish?"

"I want to ask you a question," Jinnie said, hesitating.

"A question? Well, what is it?"

"Will you answer it?" Jinnie asked, eagerly.

"Will I answer it?" Bernice said, thoughtfully. "It is an unpleasant question, then, that you have a doubt as to my answering it?"

"Yes, it is," cried Jinnie, abruptly. "Miss, you and I ain't friends. We can't be friends. There's something between us that won't let us be friends. It isn't that you're a lady, and that I'm only a poor, rough girl. There's something more than that. You know what it is as well as I do. Perhaps you wouldn't speak out so plain; but I can't help it. It's my nature, and the nature that Heaven has given us it ain't of any use to try and keep down as long as it don't lead us into evil."

"If we are not friends, we are not enemies, Jinnie," Bernice said, softly, speaking the girl's name for the first time.

"Don't speak that way, please, miss," Jinnie exclaimed, tears glittering in her bright eyes. "When you speak like that you take all the courage out of

me. I didn't come here to be spoken kindly to. I came to talk bitter, to hate, to fight you—just like the men fight—if you don't give up what belongs to me. But when you speak soft it takes my anger all away." Jinnie's lips quivered convulsively, and she strove, but in vain, to keep back the big tear-drops that were forming in her keen eyes.

"I will be as frank with you as you are with me," Bernice said, after a moment's thought. "What have I striven to take that belongs to you?"

"The love of Dick Talbot," Jinnie answered with broken accents.

"His love!" murmured Bernice, and a burning blush swept over her pale cheeks.

"Yes, it belongs to me. Three years ago I jumped into the Reese, when it was coming down, bank full, in the spring-time, and pulled Dick out by the hair of the head, when the cakes of ice and the broken timber were crushing him down under the icy water. And after I got him to the bank, and brought him to sense again, he put his arm around my waist, kissed away the big drops of water that were running down my face, said that I had saved his life, and that life belonged to me, and that I might have it whenever I wanted it. I never really wanted it till now, when I see that somebody else wants it. I don't go to him, but I come to you to ask you not to take away the life that is mine. You're a nice lady, with plenty of money East, and plenty of friends, too, I suppose. Now, I've only got one friend in all the wide world, and I come to ask you not to take that friend away from me."

"You love him?" Bernice said, sadly.

"Yes," replied Jinnie, quickly, "better than you do; better than anybody can in this world. He's all to me—father, brother—"

"And husband?" questioned Bernice, as Jinnie paused.

Jinnie's brown face colored up, and a soft look came into her bright eyes.

"Yes, maybe, if you'll only go away and let him alone," she said, shyly. "I have never thought of that, though, only in my dreams. But I'd die for him. I came pretty near dying for him to-day," and Jinnie paused abruptly.

#### CHAPTER XXVIII.

##### WHY JINNIE LOVED DICK.

BERNICE looked at Jinnie in wonder, but, in a second, a thought that explained the mystery came into her mind.

"I understand," she said; "it was you who carried the news of Mr. Talbot's danger to the road-agent."

"I didn't say so," Jinnie replied.

"True; but I am sure that I am right."

"Do you love Dick?" asked Jinnie, suddenly, fixing her keen eyes on the face of Bernice as she spoke.

Bernice was troubled at the abrupt question; a hot flush swept over her face for an instant.

"Do you think that I love him?" she asked, evading the question.

"I know you do!" replied Jinnie, promptly.

"You know?—you mean that you guess that I do," Bernice said, quietly.

"No; I don't mean any such thing!" the girl exclaimed. "I can see it in your face. I saw it that night when you looked out of the window. You see I speak right out. I am not ashamed to say that I love him; I'd say it before all the world, and it ain't fair for you to come here and take him away from me. I'd do anything in the world for him—die for him; would you?"

Bernice did not reply; a sad look came over her beautiful face, and she bent her eyes upon the ground.

Jinnie watched the face of her rival anxiously.

"You don't answer. You ain't as honest as I am," Jinnie said, a mournful tone in her voice. "You try to steal a man's love away, and yet you don't care to confess that you love him."

"You are wrong; I have not tried to steal your lover away from you," Bernice said, slowly.

"He ain't my lover, and that's what's the matter!" Jinnie replied, quickly, her lips quivering and the tear-drops stealing into her eyes. "If he had ever told me that he loved me, I wouldn't be afraid of your stealing him away, or any other woman in the world. Dick's too true for that. If he had given his word, he'd stick to it."

"But of what value is this man to you if he loves another woman?" asked Bernice.

"He don't love you!" cried Jinnie, indignantly. "If it was a fair struggle between us, I wouldn't say a word, but it isn't. If you could take him away from me fairly, that would be all right; but, you have bewitched him. The moment he set eyes on you he seemed like a man in a dream, and Dick Talbot isn't a man that dreams when he is awake."

"What do you want me to do?" demanded Bernice, in a clear, calm voice.

"Leave Dick to me, and go away from here; go where you belong; you can find plenty to love, and I can't. There's only one man in the world that I care for, or shall ever care for, and you've no business to come here and try to take him away from me."

"How do you know that I have tried?"

"Hain't I got eyes?" asked Jinnie, quickly; "can't I see? If you wasn't here, Dick would love me. He told me once that his life belonged to me, and that I could have it whenever I wanted it."

"Do you think that he will break that promise?"

"He can't help himself; you have bewitched him!" cried Jinnie, in sorrowful indignation. "If I should go to him and tell him that I was ready to take the life that he had said was mine whenever I wanted it, how could he give it to me, if you've stolen it? He might try to do it, try to keep his promise, but I don't want a man who has given his heart to another woman. I want his heart all to myself."

With a troubled face, Bernice listened to the passionate outburst of the girl.

"You wish me, then, to go away?" she asked.

"Yes," Jinnie replied, quickly.

"But, one thing you have not thought of."

"What is that?" Jinnie asked, not exactly understanding Bernice's meaning.

"You claim that this man's love is yours by right?"

"Yes."

"Why is it?"



"Haven't I told you once already? I loved him before he ever saw you."

"Are you sure of that?" Bernice asked, meaningly.

Jinnie cast an anxious glance in the face of the other. There was a confident tone in Bernice's voice that struck terror to Jinnie's soul.

"You say that you have a prior claim to his heart," Bernice continued, "but are you sure of it? How can you tell but that he and I have met years ago? It is possible that I am the first love and you the second."

"No, it isn't!" cried Jinnie, quickly.

"What proof have you of that?" asked Bernice, somewhat astonished at the confident tone of the girl.

"The best proof in all the world, Dick's own word," replied Jinnie. "When you first came, I had an idea that you were some old sweetheart of his, or, maybe, that you were his wife; so I asked Dick to tell me the truth, right away."

"And did he?" asked Bernice, a strange expression upon her face.

"Yes, he said that he had never seen you before!" There was just a little bit of triumph in Jinnie's voice as she spoke.

Bernice was perplexed. The mystery was getting deeper and deeper; no ray of light illumined the darkness.

"You demand, then, that I shall give this man up, even if he loves me and I love him?"

"You can't love him one-half as well as I!" cried Jinnie, quite fiercely. "It isn't in your nature. You wouldn't have jumped into the river, and pulled him out by the hair of the head, as I did. You ain't ready to lay down your life for him any day, as I am. You never held him in your arms and he just as cold and still as a piece of ice; you never kissed his chilly, white lips back to life, or felt the hot tears rolling down your cheeks, thinking that he was dead and lost to you forever. *I have!* He belongs to me, and it's cruel and cowardly for you to come and try to take him away from me."

"Is he not the best person to decide the question? Whether I love him or not, if he loves you, I should not attempt to take him from you," Bernice said, slowly.

"But you bewitch him!" cried Jinnie, in despair. "He's not the same man when you are around that he is at other times. If it wasn't for that, I wouldn't ask any odds. I've got as much pride as any other girl. I wouldn't want a man to love me who loved somebody else. I wouldn't try for him, but I don't stand any show with you; your game ain't fair. I didn't take any advantage of Dick. He knew what he was doing when he said his life belonged to me; he wasn't euchered into saying it; he wasn't a bit excited. We stood on the rocks by the bank of the river, both of us wet through, not a dry stitch of clothes on us, and the water dropping down our faces and from our hair, just as we had come out of the river. He caught me up in his arms and pressed me right tight to his breast, then kissed my lips with such a kiss; it made the blood all dance through my veins just like fire along a dry stick. I shut my eyes and leaned my head on his shoulder. I didn't feel a bit cold then; I didn't even feel the wet clothes that clung all around me; all that I felt was his kiss on my lips. I was so happy that I could hardly breathe; it was the first time, miss, that I knew the meaning of the word love; and he taught it to me. He didn't ask me to be his wife, but I knew that he meant that I should be some day, although he didn't say so. I was only a child then—it was about two years ago; father was alive, and I lived with him, in a little shanty up the Reese. After that time, Dick used to come and see me every day; he bought me books and used to teach me; but there was one thing I had already learned, and it came without study; that was to love him. Father used to like to have Dick come, because he could play cards with him. Father used to always win from Dick, and he couldn't play worth a cent, but Dick let him win on purpose. I believe that both father and I would have starved if it hadn't been for Dick. He made a big difference with me, too. I used to go round without caring how I looked, but, after that night by the Reese, I took care of myself and always tried to look as nice as I could. Now you know all about how I love Dick; I've told you fair and square, and if I ain't got a claim to him, who has?"

Bernice had listened with a face pale with anguish. The simple story of the girl had filled her heart with sorrow.

"I cannot dispute your claim," she said.

"You will give him up, then?" asked Jinnie, joyfully.

"I cannot give up what I have never possessed," Bernice replied.

"I mean you won't try to steal him away from me?"

"I will not; I promise it," Bernice said, sadly but firmly.

"That's all I ask!" Jinnie exclaimed. "I thought that, when you knew all about it, you'd do what was right. You can't guess how good it makes me feel. Good-night."

And with a smile upon her face, and a light step, Jinnie left the room. But in her place she left misery. Bernice threw herself upon the bed and sobbed as if her heart would break.

#### CHAPTER XXIX.

##### KIT "CHIPS" IN.

JOE RAIN, standing at the center of the little road that ran northward by the side of the Reese, trembled.

At what?

Around him the pines surged fitfully in the breeze that swept ever downward from the great rocky peaks of the Sierra. The tall walls of the canyon went straight upward, like a structure built by human hands, toward the heavens. And from the sky the full round moon shone down, though every now and then a sullen cloud passed over and hid the light of the vestal orb, as if the dark-hued courier of the sky, sailing upon the bosom of the air, was jealous of the silver sheen.

Rain, the desperado, the man upon whose soul lay the weight of a hundred crimes—whose life from boyhood had been but one long record of wrong—trembled, standing alone in that mountain canyon, at a sound that the pure night-air had brought to his ears.

With every sense intent on the watch, he stood like a statue in the road. His hand clutched convulsively the handle of a revolver in his belt, for the desperado was well armed. Two six-shooters were buckled at his waist, and the blade of a broad, keen-edged bowie-knife, thrust through his belt, gleamed silver in the moonlight.

"Cuss my darned coward heart!" he muttered, as he glared with watchful eyes around; "is a tree a-rustlin' in the wind a-goin' to make me shiver and shake? But is it a tree? No pine that grows in this hyer gully ever made that noise. It's somebody a-trackin' me, Injun-fashion. Kin it be a red-skin a-goin' fur my top-knot, or is it—" and he paused; a nervous shiver supplied the place of words. The desperado had not trembled at the first thought; the Indian warrior had less terror for him than the foe whose name he feared to speak.

Rigid as a statue for full five minutes the desperado remained. The sounds of the night and of the wilderness were around and about him. The breeze murmured through the branches of the pines and whistled softly in warning calls among the winding passages of the rocks of the canyon. The river rippled along over its stony path, and fell with a little, sullen roar over the edge of the shelving ledge into the dark pool below, where the spotted trout waited for its prey. The hum and cry of the night insects rose and fell upon the air, riding upon the balsamic breeze, but no sound of human life—nothing that denoted the presence of man in the mountain canyon fell upon the ears that listened so eagerly.

"I'm a darned fool!" Rain muttered, between his teeth; "wuss skeered nor a coyote makin' tracks with a ounce ball into him. Why, I believe that a gopher comin' out of his hole would make me run. I'll go on ag'in."

Joe thrust the half-drawn revolver back into its pouch, and proceeded on his way. Not ten steps did he take, when again he halted, a muttered curse on his lips. His listening ears had again caught the sound that he so feared to hear. But this time, instead of being behind him, following in his track, it was beyond him, toward the north.

"The darned critter has circled round me fur to head me off," Joe muttered, drawing the revolver from his belt. "All I ask is a fair shake; I ain't afraid." But the bloodless lips and quivering hand of the desperado proved that he did not speak the truth. A deadly terror was on his soul—a terror that unnerved his sinews and made his head sag with doubt.

Again Joe heard the slight sound. It was only some hundred paces ahead of him, and came apparently from a little clump of pines that grew close to the road.

Joe dropped upon his knees behind a huge boulder. Carefully he drew back the hammer of the revolver. The sharp click of the lock rung out shrilly on the clear mountain air.

With an anxious face and a beaming heart, the desperado clutched the weapon. The moonbeams danced in wavy lines of light along the surface of the shining barrel.

Then from the covert of the pines, into the center of the road, came the thing that had produced the noise that had so alarmed Rain.

"A jackass rabbit, by thunder!" the desperado exclaimed.

And so it was. The harmless little animal halted in the road, sat up on its haunches and looked around.

Joe could not repress a burst of laughter. Alarmed at the noise, the rabbit scampered into the shelter of the bushes again.

"Ha, ha, ha!" Joe roared, rising to his feet.

"Ha, ha!" rung out an answering laugh upon the night air, so natural, so unlike a man's laugh, and so unlike an echo that Joe again started in affright.

"What a darned fool I am," he muttered in anger, recovering from his alarm. "Fust I'm skeered to death by a jackass rabbit, and then I jump like a hit antelope at the echo of my own voice. If I ain't got more pluck than this I'd better sell out."

Then again Joe proceeded onward. He followed the road through the canyon. After it left the shelter of the defile, it turned suddenly to the right, followed always the course of the stream, and passed across a little rocky plain.

Half-way across the plain Joe stopped. Again he had heard the stealthy footsteps following upon his trail.

The outlaw turned pale, and great drops of sweat came out on his bronzed forehead.

With a resolute effort he turned and faced in the direction of the noise.

"Darn the thing, whatever it is!" he cried. "I might as well be killed outright as skeered half to death this way."

The moment the desperado stopped the sound of the footsteps stopped also. Joe listened, but no sound, save the noise of the night insects, the rustle of the breeze, and ripple and swash of the waters, came to his ear.

"Kin it be an echo of my own footsteps?" he muttered, in doubt. "Darned if it ain't more like a ghost following me than a man. My blood feels like ice," and Joe shivered as he spoke. He had again drawn his revolver from his pocket, and with it ready cocked in his hand he stood with a gloomy frown upon his features.

He was in the center of the little glade within easy revolver range of the pines that hid the entrance to the canyon.

"You darned skulkin' thief, come out an' face me if you dare!" Joe said, defiantly. It cost him an effort, though, to utter the defiance. His voice sounded hard and unnatural, even to his own ears.

Before the echoes from the Sierra's side had given back the bold defiance of the outlaw, two forms stood within the rocky plain, lit by the moonbeams. One, the desperado Joe Rain, standing in its center, his bronzed face white with terror, and his heart chilled by the cold fingers of black despair; the other, on the very edge of the plain, risen like a specter from amid the pines at the canyon's mouth, was the road-agent, Overland Kit. His face was covered by a mask, as usual, a six-shooter in his hand, leveled with a deadly aim at the person of Joe Rain.

A howl of despair came from the lips of the desperado when he beheld the well-known figure of his former leader step from the dark cover of the pines.

A moment the two surveyed each other, their re-

volvers leveled at each other's breasts; death in their hands, death in their hearts.

"Overland Kit, by blazes!" exclaimed Joe, in a tone that plainly betrayed that both rage and despair were blended in his heart.

"Treacherous villain!" said the road-agent, in a stern, deep voice, "are you prepared to die?"

"To die?" growled Joe, a fierce light shining in his evil eyes.

"Yes; to die the death that all traitors should die."

"What have I done to you?"

"Cowardly hound!" exclaimed the road-agent, in contempt. "You ask that question even when you are flying like a thief in the night, from my vengeance. Every time that you have paused to listen for the sound of my footsteps tracking you through the canyon, your guilty conscience has whispered my name in your ear, and told you that I was on your track, and that my mission was one of vengeance. Not half a mile from this spot I watched you kill Jimmy Mullen. Like a coward, you struck him in the back, then robbed him of his wealth. I did not think then that Heaven had destined me to avenge that deed. From my covert in the rocks I watched you depart without making any effort to stay you. I would not be both your judge and your executioner, although I knew you to be a red-handed murderer. Then you went straight to Spur City, eager for more blood-money. Had your eyes been as keen to penetrate my disguise as your hand was quick to strike Mullen in the back, I should have swung from a pine tree. But, your time's up; the game is over, 'pass in your checks.'"

"We are man to man hyer; you're no better than I am!" cried Joe, fiercely. "I am armed, an' I'll play my hand for all it's worth."

"You'd better 'pass,' returned Overland Kit, tersely.

"I'll see you to blazes furst," exclaimed Joe, with the courage of despair; "you jist 'chip in,' now!"

"My 'edge!'" replied the road-agent.

Two puffs of flame, two whip-like cracks, and a wounded man fell on the rocks.

#### CHAPTER XXX.

##### LIP TO LIP.

WHILE the interview between Jinnie and Bernice—the particulars of which we have already related—was taking place, a skulking form, in the darkness of the entry, listened at the door of Bernice's chamber.

The two girls had spoken without caution, therefore the listener had heard every word.

When the interview came to an end, and Jinnie left the room, the eavesdropper sought concealment under the rude stairs that led to the little garret of the hotel.

The entry was quite dark, except at the head of the stairs that led up from the lower part. There a window let in the moonbeams.

With a smile on her face and joy in her heart, Jinnie walked along the entry, never guessing for a moment that listening ears had overheard all that had transpired between herself and Bernice.

When Jinnie reached the head of the stairs she heard the sound of footsteps ascending. An exclamation of joy broke from her lips. She recognized the step.

The man came up out of the darkness of the stairway into the circle of light cast by the moon through the window. It was Dick Talbot.

His face was stern and gloomy; but the expression softened as he beheld Jinnie.

"Why, Jinnie, is that you?" he said, advancing to the side of the girl.

The two stood by the window. The moonbeams streamed in full upon their faces.

"Oh, Dick, you have been in such danger," Jinnie murmured, softly, gazing with an anxious look into Talbot's face.

"A pretty tight place, Jinnie," Dick answered. "Judge Jones has got a grudge against me for some reason, and he tried all he knew how to have my neck stretched. I can't understand why the Judge should bear me ill-will; but he does. There's no mistake about it. I suppose I've trod on his toes in some way."

Jinnie's face flushed for a moment, and she cast down her eyes at Dick's speech. Talbot noticed the peculiar look upon the face of the girl, and a sudden thought darted through his mind.

And while Jinnie's eyes were cast upon the floor, and Talbot's were searching her face anxiously, the dark figure that lay crouched in ambush beneath the garret stairs, watched the two with breathless earnestness.

Jinnie and Dick little guessed that anxious ears were drinking in their words, or that eyes, glaring in anger, were watching their every movement.

"Jinnie, do you know why Judge Jones hates me?" asked Talbot, suddenly.

Jinnie's face flushed crimson at the question; the little red lips quivered, and her bosom heaved tumultuously.

"You don't answer, Jinnie," Dick said, after waiting in vain for the girl's reply.

"How can I answer, Dick?" Jinnie said, slowly. "It isn't right for me to say that I know when I am only guessing."

"Then you have made a guess regarding the matter, eh?"

"Yes," answered the girl, slowly.

"What is it?"

"Oh, don't ask me, Dick!" cried Jennie, impetuously, her face again flushing up.

Talbot looked at the flushed face of the girl for a moment, in silence, a curious expression shining in his eyes.

"Jinnie," he said, abruptly, and after quite a long pause, "I owe you two lives, for twice you have saved mine." And, as he spoke, he passed his arm gently around the waist of the girl, and drew her to his side. She did not resist, but nestled her head on his breast, and the long-drawn breath—half a sigh—that came from her lips, told of peace and contentment; she was happy.

Talbot pressed his lips softly to the low, brown forehead of the girl. Jinnie's light form quivered for a second, like a wind-stirred leaf, as she felt the warm, moist pressure of Dick's lips.

"Twice you have risked your life for mine," he said, earnestly. "Now I think it is about time that I should try to pay you for the services. Do you re-



member the time when we stood by the bank of the Reese?"

"Yes," Jinnie said, softly. "I told you then, that the life you had saved belonged to you, that it was yours whenever you wanted to claim it. You haven't asked for it yet, Jinnie."

A single glance Jinnie cast into Dick's face, and then again the long, golden lashes veiled the large, clear eyes.

"You're right, Jinnie," he said, slowly. "I had forgotten. I must treat you like a woman and not like a child. It is not right that you, a woman, should speak, when I, a man, hesitate. But, Jinnie, I have not spoken before because—well, because I don't know myself; I can't tell what I am or what I think. I'm a deal like a piece of pine floating down the Reese, at the mercy of every current and eddy in the stream. One moment, I think that I am a strong, determined, self-willed fellow; and the next, I come to the conclusion that a more wavering, irresolute wretch than I, don't exist on top of the earth. Jinnie, I belong to you by rights; I know that; and when I am with you I feel that I love you better than I do any other woman in the world, but, when I am away from you—" and Talbot paused, irresolute.

"You think that you don't love me?" Jinnie asked, looking up into Dick's face again with her earnest eyes.

"No, I don't think so; but, the thought comes to me that, perhaps, I don't love you well enough to make you happy," Dick replied, honestly.

"You only think so when you are away from me?"

"Yes."

"There is a very easy cure for that, then."

"What is it?" Talbot asked, in astonishment.

"You mustn't go away from me at all," the girl replied, simply.

A smile came over Dick's face at the answer.

"And so, Jinnie, if I tell you honestly and frankly, that I think I love you, but am not sure of it, and ask you to be my wife, what now will be your answer?"

"Dick, when you play cards do you always make the man you're playing against tell you how he is going to play, before you commence the game?" the girl asked, shrewdly.

"Of course not," Talbot replied, quickly.

"And yet, you ask me to tell you how I am going to answer before you put the question. I don't think that is quite fair, Dick."

"Little girl, I'm no match for you!" cried Talbot, suddenly; "there's more brains in this little head than in a dozen like mine. I haven't asked you a fair question, but now I will."

With a touch full of tenderness, he drew the light form of Jinnie still closer to him, raised up the little head with its halo of red-gold hair, until the clear gray eyes looked full into his own.

The smile upon Jinnie's face, and the joyous light dancing in her eyes, told how happy she was.

"Jinnie, you know me as Dick Talbot," he said, slowly; "it is very likely that it is not my name. In other years, and in other places far away from this wild region, I may have been known by another name. Blood may be upon my hands, human blood; why, Jinnie, I may be stained by all sorts of crimes. I tell you this, so that you may not act rashly, but take plenty of time to think it over. And now, for what I was going to say at the beginning: Jinnie, I think I love you well enough to ask you to be my wife. I ain't quite sure of it, for, as I told you before, I am like a man wandering in a dark night; I can't see my way clear; I'm willing to risk it, though, if you are; so, Jinnie, will you be my wife? Don't be in a hurry to answer, you know; take all the time you like."

"One little second—only a breath is all I want," Jinnie cried, quickly. "Yes." Firm and decided, but full of love, was that "yes."

A moment Dick looked into the clear eyes, now lustrous with the light of love; he saw the flushed cheeks and quivering scarlet lips, so rich and ripe in their dewy sweetness, and then, over his soul, like a flood sweeping all before it down the canyon's bed, came a sweet sense of joy, which told him that he really did love the girl, whose little form he pressed against his heart. Then he bent over and kissed the little, full lips that so eagerly awaited that kiss.

The soft sound of the passionate kiss that told that two human hearts had agreed to beat in loving concert till the Dark Angel sounded the call of doom resounded gently through the darkness of the passageway. It reached the ears of the watcher beneath the stairway.

The sound that told of loving concord, transformed him into a demon of hate. His hand closed convulsively over his revolver; death was in his heart.

## CHAPTER XXXI.

### THE FLY-LEAF AGAIN.

For a second only the dark figure, crouching beneath the stairs, kept the revolver at its poise, then the calmer second thought stayed the murderous hand. He dropped the muzzle of the pistol toward the floor, and again eagerly bent forward to listen.

Unconscious of his danger, unconscious that a foe's hand had been raised to deal him the death-stroke, Talbot gazed with a glance of tenderness into the little brown face, whose eyes looked so lovingly into his own.

Gently he kissed the low, sweet forehead, the blushing cheeks and the golden-fringed eyelids.

"You are willing to risk all, then?" he said, "willing to give yourself into my charge, forever and forever?"

"Yes," she replied, lowly, softly, dreamily; she was in a heaven of happiness. The hour of bliss, for which she had prayed so long and so hopelessly, had come at last. The sense of joy which thrilled through her being seemed to take away her breath; she was faint with happiness.

"In spite of all that I have said, you love me?" Talbot asked, slowly. "My past life may be stained with crime, my present isn't any too good; in fact, couldn't be much worse, yet you love me, angel that you are!"

"Oh, Dick, I am but a poor, weak girl, strong only in love," Jinnie replied, nestling her head, coyly, on his breast.

"You are playing a desperate game, Jinnie, to

stake a priceless love like yours against the weak, wavering passion that has to struggle for its existence in my heart."

"I don't fear a bit, Dick," she answered, earnestly. "I know that you would not ask me to be your wife if you did not love me a little; you are too fair, too generous for that; and if you love me a little, I shall give you so much love in return that you will not be able to help loving me a great deal, even if you tried not to, and I know that you won't do that."

Perfect faith shone in the clear eyes of the girl as she uttered the simple speech.

"No, Jinnie, you're right," Talbot said, quickly. "I shall try to love you with all my heart. It cannot be possible that I shall fail, for a passion as pure and strong as yours must meet with its reward. From this time forth you are the only woman in the world that I shall think of; I will forget that any other woman lives."

A quick, joyous flush came over Jinnie's face; never before had she heard words that seemed so sweet in her ears. A long-drawn breath came from between her scarlet lips; her heart was too full for words.

"By the way, Jinnie," said Talbot, suddenly, "you remember the night that Judge Jones arrested me?"

"Yes."

"Something happened then that has puzzled me a little; I meant to have spoken to you about it before, but forgot it."

"What is it?"

"Why, about that Bible; what reason had you for tearing the fly-leaf out of it?"

A half smile came over the girl's face, and a soft, shy light shone in her eyes.

"There was something written on the leaf that I didn't want anybody to see," she said, slowly.

"Something written on the leaf?" he questioned, in astonishment.

"Yes, something that I wrote there."

"What was it, Jinnie?"

The girl drew the crumpled leaf from its warm hiding-place close to her heart; but, as she placed it in Dick's hand, she hesitated, still retained her grasp upon the paper, and looked up, shyly, into his face.

"I s'pose you'll think that I'm real silly, but I couldn't help it, Dick. If you hadn't asked me to be your wife, I should never have shown it to you."

"If your love for me prompted your hand when you wrote I shall not be apt to think that it is silly," Talbot replied, smiling.

"Look, then."

Jinnie relinquished her grasp on the crumpled bit of paper and again nestled her head down on Talbot's breast.

Dick smoothed out the crumpled leaf, and, by the aid of the moonbeams, examined it.

On the leaf were two written lines; two names; one written beneath the other. A smile came over Dick's face as his eyes rested on the lines. The two names were:

"Jinnie Johnson."

"Jinnie Talbot."

The girl had coupled her name with that of the man she loved.

"You poor girl!" cried Talbot, quickly and earnestly, "I am not worthy such a love as yours, but for your sake I'll try to be. If Heaven will only help me in time I may be able to love you as you ought to be loved."

Jinnie returned the precious paper to its former hiding-place.

"I should have felt so mean if Judge Jones had seen that," she said.

A thoughtful expression came over Talbot's face. An idea had come to him.

"Jinnie," he said, abruptly, "can you tell why Judge Jones hates me?"

"I—I think I can," the girl answered, a little confused.

"Has the Judge ever professed any love for you?" Talbot asked, guessing at the truth from the look upon the girl's face.

"Yes."

"I thought so!" Dick exclaimed. "And you told him that you did not care for him?"

"Yes," Jinnie again replied.

"And he guessed that you cared for somebody else—for me?"

"Yes; he said that he could guess who it was that backed me up in the Eldorado."

"He meant me, I suppose?"

"I felt sure that he did; it was real hard for me. I hadn't any idea that he cared anything for me, and it took me by surprise."

"Now I understand why the Judge hates me," Talbot said, thoughtfully; "I am in his way, and he has tried his best to get me out of it. The Judge and I will have a settlement one of these days, I'm afraid. I've an idea that he's a pretty big scoundrel, in spite of his quiet, smooth way."

"I must go down and close up, Dick; where are you going to stop to-night?"

"Down at the shanty."

"There's room here."

"No, I'll go down there; I came up on purpose to see you. I felt that we ought to have an understanding, and now my mind's easier; good-night."

A half-dozen warm kisses he pressed upon the willing lips, and then took his departure. As the two descended the stairs, they met Tendall coming up, supported by Ginger Bill. Gaius was under the influence of liquor as usual.

"How are you, Miss Jinnie?" Gaius exclaimed, with a vain attempt to stand up without Bill's assistance, the consequence of which was that he nearly tumbled headlong down the stairway, carrying Bill with him.

"Look a-hyer! you're a darned sight wuss'n a mule, you are, you drunken cuss, you!" Bill exclaimed, in anger. "How kin I hold you up, ef you're a-goin' to wabble round this way? You'll fall down, an' break that precious neck of yours, an' then we can all jine in the funeral."

"I guess that somebody would be mighty glad if I broke my neck," Gaius stammered with a thickened tongue. "I reckon that somebody wouldn't 'pan out' to-morrow if I broke my neck to-night. Oh, no! I haven't a gold mine—haven't struck a 'lead'—don't know what 'pay dirt' is; not much, you bet!"

By this time Gaius and Bill had reached the landing, and Talbot and Jinnie had entered the saloon below.

"What in thunder are you talking about, anyway?" asked Bill, steering Tendall through the entry.

"Oh, wouldn't you like to know?" cried Gaius, with a drunken laugh. "You're mighty cute, but I ain't to be pumped; I'm a regular sponge, I am. I know something that's worth a pile of rocks. I'll make another strike to-morrow, or I'll know the reason why."

"Shet up, you mutton-head!" exclaimed Bill, indignantly; "you've got more gab than a she-woman!"

"Bill, I'll stand treat in the morning; I swear I will!" Gaius cried.

"Jest you go to bed an' sleep off some of that tanglefoot you've got on board now, afore you talk about any more h'isting." And Bill pushed open the door of Gaius's room and placed an almost helpless man inside. There was a candle burning on the table. Bill tumbled Tendall over on the bed.

"Are you all right, old boss?" he asked.

"You bet! set 'em up!" ejaculated Gaius, stretching himself out on the little bed.

"Guess I won't blow out the light, he may sober off enough to git up an' undress," Bill remarked, communing with himself, for Gaius was a ready half-asleep.

Bill paused at the door to take a farewell look at his drunken friend. A few days of reckless dissipation had greatly changed Tendall.

"He's got whisky enough on board to run a small-sized grist-mill. Ef he keeps on h'istin' thar'll be a famine in the whisky-line putty soon round hyer."

Bill closed the door and proceeded down-stairs again.

Hardly had he closed the door below behind him, when a dark form stole cautiously along the passage. Pausing at the head of the stairs, the moonlight shone on the features of the "Heathen Chinee."

## CHAPTER XXXII.

### A TERRIBLE DISCOVERY.

In the saloon, Bill found young Rennet and Dandy Jim.

"How is your friend and backer now?" asked Rennet, referring to Gaius.

"Drunk as a b'iled owl," replied Bill, tersely; "I've corraled him in bed, though, an' I s'pose he'll snooze the p'isen out of him. Talk 'bout h'istin'! Why, he kin h'ist more tanglefoot than any other man of his inches in Spur City for rocks, now you bet!"

"Who's my antelope for a leetle game of poker?" asked the man-from-Red-Dog, defiantly, drawing out his bag of gold-dust as he spoke.

"I reckon I'll jine in the services," replied Bill.

"If you've got any more money than you know what to do with, I don't mind relieving you of some of it," observed Rennet, carelessly.

"Oh, come fur me now!" cried the Red-Dogite, persuasively; "I'm your meat, I am!"

So, without more ado, the three sat down to a table; Dandy Jim produced the "papers," and they "went for" each other.

The game continued with varying fortune for an hour or so; then Rennet, growing tired, announced his intention of going to bed, much to the disgust of the man-from-Red-Dog.

"What sort of a cuss are you, anyway?" Jim exclaimed, in an aggrieved tone, "I reckon that when a gent sits down to play poker, it's a duty he owes to society fur to keep sot till he's busted."

"Well, if the cards keep on running as even as they have for the past hour, we might play till doomsday and be neither poorer or richer for it," Rennet answered.

"Jist as lief play till old Gabriel toots his horn as not!" Jim exclaimed.

"You're as contrary as a mule!" Bill cried. "See hyer, I'm six bits ahead of the game, so I'll stand treat. We'll all take a nightcap and turn in. Nominate your p'ison."

With a growl, Jim yielded to the wishes of the others, and consented to be "p'isoned," as Bill expressed it. Then Jim bade the two good-night, and left the saloon.

The Heathen Chinee was not in attendance as usual, but a sharp lad who acted as his assistant.

Bennett and Bill proceeded up-stairs. As they came to the door of Tendall's room, they paused and listened. The candle was still burning within, for they could see its light through the cracks of the door.

"I reckon the darned cuss's asleep," Bill said, after listening for a moment.

"I don't hear anything," Rennet observed.

"Nary a snore; he's in the arms of Murphy, as Paddy-whack Doolin would say," Bill said, with a grin.

Hardly had the words left the lips of the stage driver when a sound came from the room occupied by the drunken man, which caused the two in the entry to stare at each other in blank astonishment. The candle that Bill carried in his hand shook, and the flame wavered on the air as though agitated by a sudden gust of wind.

"What the deuce was that?" exclaimed Rennet, astonished.

"Durned ef it didn't sound like a groan," said Bill, softly.

"Yes, it did."

"I reckon it made me shake, jest a bit; it came so sudden-like; took a feller clear under the ear and h'isted him off his pins; I s'pose he's having bad dreams."

"Hadn't we better go in and see if we can do anything for him?"

"I reckon not; he's only a-cavortin' a little in his sleep, that's all. He'll be all right in the morning," Bill answered.

"Well, now, it sounded to me just as if the man was in deadly pain," Rennet said, a strange apprehension of evil coming over his soul.

"It is kinder skeery fur to hear a sound like that in the night, you know; I reckon that a man who wouldn't be afeared to face a dozen Injuns single-handed in the daylight, would run like the mischief from a thing that he thought was a spook, at night."

"Your head is level then, Bill; but we're standing here like a couple of children; shall we go in or not?"



"Ef I thought that critter wasn't all right—I guess, on the hull, that we had better go one eye on him, anyway."

"Go ahead."

But, as Bill placed his hand on the door-knob, there came from the room within a low, hollow moan; a cry so full of human anguish that it paled the cheeks of the two strong men and filled their hearts with terror.

"Did you hear that?" questioned Bill, nervously, pausing, with his hand on the door-knob.

"Yes; it sounded like a death-moan," replied Rennet, unconsciously lowering his voice to a whisper.

"Durned ef I ain't afeard to open the door, an' I don't know what I'm afeard of, either."

"He's only groaning in his sleep, that's all," Rennet said, reassuringly; yet, in his own heart, he felt a fear for which he could not account.

"Hyer goes, any way!" exclaimed Bill, decidedly. And, with the word, he opened the door and entered the little room, Rennet following close behind.

A single look the two men gave at the motionless form that lay upon the bed, and then a smothered cry of horror burst from their lips.

A terrible sight indeed they looked upon. Gaius Tendail lay upon his back in the bed, his coat off, and his shirt-front stained with blood, that welled from a dozen stabs in his breast. The truth flashed upon the two white-faced men at once; Gaius Tendail had been murdered!

"This is awful!" Bill exclaimed, solemnly.

Rennet did not reply, but stepped forward and examined the body. Not one, but a dozen, stabs let out the red life-blood. It was plain the victim had been surprised in his drunken slumber, and had been struck without giving him a chance for his life.

"Is he gone up?" questioned the stage-driver, anxiously.

"Yes, he's dead," Rennet replied, convinced at a single glance that such was the case. "Who could have committed this bloody deed?"

"We need the Vigilantes round hyer right sharp, I reckon," Bill said, earnestly.

We had better give the alarm at once; we may be able to discover the murderer!" Rennet exclaimed, moving toward the door.

"Say, I'll go with you; I wouldn't stay hyer alone for a heap of guld-dust!" Bill cried, quickly, and following Rennet as he spoke.

The two went out into the entry and closed the door carefully behind them. Rough, reckless men as they were, there was something terrible, even to them, in the cold, silent, blood-stained form of the murdered man.

As the two passed along the entry, they saw the glimmer of light through the crack of a door.

"Hold on!" said Bill, in a whisper; "this is Miss Jinnie's room. Hadn't we better tell her all about the affair? She ain't gone to bed yet, 'cos the light's burning."

"Yes; I think you had better tell her," Rennet replied.

Bill knocked on the panel, but as the door was not latched, the motion forced it open. For the second time that night, the two men beheld a strange sight. In the center of the room, her face pale as the face of the dead, stood Jinnie. In her hand she clasped a bowie-knife, the blade clotted with gore; the front of her dress was stained with blood, also.

For a moment, Jinnie looked at the two intruders with staring eyes, and they gazed at her with speechless horror.

Jinnie was the first to recover her speech.

"What is the matter?" she exclaimed.

"Tendail has been murdered!" Bill blurted out, never thinking what the effect of his words would be.

With a cry of horror, Jinnie dropped the bowie-knife, and shrunk back in terror.

"Oh! that was the weapon that killed him!" she cried.

The same thought had occurred to both Bill and Rennet when they beheld the bloody weapon in the hand of the girl; but, Rennet's mind had not stopped there. Quick as the electric flash, he had guessed who had struck the blows that had robbed Tendail of his life, and the motive for the deed. A certain mysterious speech of the murdered man had come back to his mind, and that speech suggested a reason why Tendail's death would be advantageous to some one.

Rennet stepped forward and picked up the knife.

"I will take charge of this," he said; "it may lead to the discovery of the murderer."

"I thought that it was a joke—that some one was trying to frighten me, when I found the knife stained with blood on my table. I did not dream that it was human blood; and see, it is all over my dress and hands!" With a convulsive sob, Jinnie sunk into a chair, completely unnerved.

Young Rennet cast a searching glance into her face, a peculiar look in his eyes.

"Bill, run for Judge Jones," he said; "we must look into this matter at once."

#### CHAPTER XXXIII.

##### BEHIND THE BOWLDER.

The first gray light of early morning shone down on canyon, plain and river. The somber pines nodded gently in the mountain breeze.

A little party of four rode along by the side of the Reese, heading northward. The four were, Billy Brown, the landlord of the Cosmopolitan, Patsy Doolin, and two bearded miners, known respectively as Dave Reed and Missouri Johnny.

The party were returning from Spur City, having taken part in the trial, and now were on their way to Gopher Gully.

They were riding along quite slowly, for, to tell the truth, their seats in the saddle were rather uncertain; they had been up all night long celebrating Injun Dick's acquittal; and the power of the Spur City whiskey was potent in the extreme.

The cool mountain breeze was very welcome indeed to their fevered foreheads as they rode onward.

The conversation between the four turned naturally upon the trial at which they had just assisted.

"I reckon the Judge must be a leetle cracked, for to think, even for a minute, that Dick Talbot was Overland Kit," Brown said, reflectively.

"Shure 'twas all the fault of that black-lookin'

devil that swore ag'in' him," replied Doolin, referring to Joe Rain.

"Yes, and a nice-lookin' cuss he was to get up an' swear ag'in' sich a man as Talbot!" cried Dave Reed, in contempt.

"I wonder what became of him after the trial? He got out of the way lively, I reckon," Missouri Johnny observed.

"Best thing for him to do," Brown replied. "Ef Talbot went for him, he'd come out wuss nor a antelope with a lot of Digger Injuns. Why, Dick wouldn't leave hide nor ha'r on him, the p'isoned serpent."

"After the trial, he thought it time he wasn't there, begorra!" Paddy exclaimed, with a grin.

"He lit out right smart, I reckon," Reed said. "I had 'bout made up my mind to 'climb' him myself, jist to show my respect to my old pard, Dick; but, when I went to look for him, he had 'levanted.'"

"Vamoosed the ranch, eh?" Brown observed, with a laugh.

"Absquatulated, by thunder!" Reed replied.

"Why, any fool might have knowed that Dick couldn't be Overland Kit; it's a clean impossibility. But Judge got the idea into his head, an' you couldn't move him a mite. He's jist like one of them hyer rocks; when he gets sot, he's sot, fur good, an' it would take an airthquake to move him."

"That's so," chimed in Missouri Johnny; "but the Judge is a squar' man, every time."

"Well, who's sayin' anything ag'in' it?" demanded Reed. "I didn't say that he wasn't squar'; I only said as how he got sot, an' staid sot, too."

"How that old fat cuss fixed things round!" suddenly exclaimed Brown, in evident admiration. "I reckon, now, he knows law for all it's worth. The old cuss didn't look like 'pay-dirt,' but he 'panned out' fast-rate. Why, he jist twisted them 'ar witnesses round like a mice. He proved jist as clear an *alibi* as I ever see'd, an' with the very identical witnesses that were brought forward to convict the prisoner! He didn't bring any witness on Dick's side, an' I come down from the Gully on purpose to testify."

"What did they want you for?" Reed asked.

"To prove the time that Dick came into my place last night, you know."

"How could you swear 'bout the time?"

"Jist as easy as ef it had been fixed aforehand," Brown replied. "You see, when Dick came into my place, Dandy Jim axed him for to have a game of poker, an' he said that he couldn't stay long, 'cos he wanted to be back in Spur City by ten; so he jist looked at his watch, an' it were jist eight o'clock. So you see, I were all primed to swar that Dick came into my shebang at eight o'clock."

"It war durned queer that Overland Kit should risk a ride right through the town, jist as another man was tried for being him, wa'n't it?" Reed said thoughtfully.

"Well, now, boys, it lies jist hyer," Brown replied, mysteriously. "It's jist as plain to me as the nose on your face, Missouri—an' anybody knows that's big an' plain 'nough—that Dick knows who this road-agent is, but he's too squar' a man fur to blow on him; so, when he got into this little difficulty, he got some friend fur to carry the news of the scrape that he was in to Kit; an' the only way that Kit knew fur to git Dick out of the corral, was to ride through the town. In course, any fool could see then that Dick Talbot couldn't be Overland Kit."

"That's so!" exclaimed Reed.

"Begorra! that reminds me of a fourth cousin of mine, one Teddy Flynn; he said he'd niver be married till he was a widower, an' he never was, d'ye mind?" cried Patsy.

"Well, anybody would know you was a Paddy-whack!" said Brown, dryly.

"An' who the devil said I wasn't?" demanded Patsy, indignantly. "Shure an' I'm proud of the ould sod; it wasn't my fault any way; they never axed me where I'd be born, bad 'cess to 'em!"

"Say, sweet William, who do you think this Overland Kit is?" asked Missouri Johnny, abruptly.

"Well, now, you have got me whar my ha'r is short," replied Brown. "I kinder reckon, though, that he's some gay Washington galoot who hangs out in Austin. I've heard say that the biggest thieves in the country kinder center thar, an' I reckon he's one of the crowd."

"What makes you think so?" Reed asked.

"Cos he knows all about the coaches that carry the valuable express matter, and knows, too, when the blue-coats are after him. Ef he wa'n't mixed up with the head roosters at Austin, how could he tell that, I'd like to know?"

"Kind posted, ain't you, Brown?" Reed said.

"Oh, no! I'm asleep; I ain't had my eyes open since I were knee-high to a grasshopper," Brown replied.

The party were now riding through a little canyon. They were near the end of it, and a small, rocky plain appeared beyond, through which the little stream that came from Gopher Gully ran, tumbling into the Reese, a few hundred feet beyond.

"I wish I'd gone to bed, by the powers," muttered Patsy; "the next time I start I'll stay at home."

A roar of laughter from the rest of the party greeted his remark.

As the little party emerged from the canyon into the plain, a huge gray wolf scampered out from behind a boulder and ran off at a long, loping trot toward the hills.

The miners reined in their horses and emptied their revolvers at the "outcast in gray." But the gaunt wolf was fleet of foot, and a few seconds carried him out of revolver-range; besides, the hands of the miners were not over-steady after the night's spree, and the wolf really was in but little danger when within range of their fire.

"Ef thar's any thin' that I despise, it's a wolf," Brown remarked; "it's the meanest critter that runs on four legs."

"Barrin' a crow!" Patsy exclaimed.

"A crow ain't got four legs, you mutton-head you!" Brown replied.

The party again proceeded on their way, and when they came to the boulder from behind which the wolf had appeared, their horses reared violently and refused to proceed further.

"Durn the brutes! What in thunder has got into 'em?" Brown exclaimed, in astonishment.

Brown stuck his spurs into the flanks of his horse,

and attempted to urge him forward, but the beast shied violently to one side, and Brown slid out of the saddle to the ground. The horse then galloped away, evidently thoroughly frightened, and did not pause till he gained the entrance of the canyon.

The horses of the others attempted to follow the example of their companion, and were only restrained by main force on the part of their riders; but, advance forward they would not, despite the application of the heavy Mexican spurs that the miners' heels were armed with.

"I s'pects thar's something wrong hyer, somewhere," Brown said, picking himself up. "Jist hold your mule-teams, boys, an' I'll go round the rock an' prospect."

Brown turned the corner of the enormous boulder; he had he disappeared from sight when his voice came out quick and earnest on the clear air of the mountain.

"Light down, boys, an' come hyer; hyer's blazes to pay, an' no mistake!" Brown cried.

Wondering at the summons, the three dismounted, fastened their horses' heads together and hastened after Brown.

Turning the angle of the rock, a strange sight met their eyes. Extended upon the ground was the body of a man, stone dead. The blood that crimsoned the rocks, the wounds in his breast, told of a terrible struggle.

The wolf had partially eaten away the lower part of the face, but the dress of the dead man, and the black mask upon his face, told plainly who he was, even at the first glance.

"Overlan' kit, an' dead, by thunder!" Brown exclaimed.

#### CHAPTER XXXIV.

##### WAKING THE SLEEPER.

GINGER BILL ran from the Eldorado to the express office as fast as his legs could carry him. All was dark within the office. It was evident that the Judge had gone to bed.

"Hallo, Judge! ra'se up an' come out, old hoss!" Bill shouted, rapping vigorously at the door.

There was no answer.

"I reckon he's laid right down to it!" Bill muttered in disgust. "I've hollered loud 'nuff to wake a dead mule down at the bottom of the Reese. Say, Judge! wake up!" And Bill beat against the door with his brawny fists.

At this second vigorous appeal there was a movement apparent inside the shanty. Bill's listening ears detected the prolonged yawn of the sleeper, waking slowly.

"He kin sleep sound 'nuff fur six; I reckon he must be pretty easy about the conscience for to snooze it out this way," the driver observed to himself. "Say, Judge, get up an' come fur me! Thar's jist old blazes to pay in this hyer ranch!"

"Who's there?" asked the Judge, evidently only half-awake.

"It's me—Ginger Bill."

"What do you want?"

"I want you for sure! Things are riled 'round an' they hev rung in a 'cold deal' on us," Bill replied.

"Come in the morning," and the Judge turned over to go to sleep again.

"See hyer, ef you don't git up, I'll kick the hull end-board of this hyer shanty in!" cried Bill, indignantly.

"What's the matter?"

The Judge began to have an impression that something important had occurred.

"Blazes to pay, I tell you!" growled Bill.

"How does it concern me?" asked the Judge. "I can't be called out of my bed on account of every drunken row that occurs in town. Let 'em fight it out among themselves, and the more roughs there are killed, the better for Spur City. Go 'way and stop your noise! You ought to know better than to come and disturb me in this way." The Judge spoke testily. He was evidently annoyed at being disturbed.

"Are you the she-hoss of this hyer ranch, or ain't yer?" cried Bill, in a rage. "Ef ye don't git up I'll hit this old shebang sich a welt that you'll reckon a Frisco airthquake has got hyer."

"Are you drunk, too?" cried the Judge, in anger, rising up in his bed.

"Come out an' see," replied Bill, giving the door a tremendous kick. "It's no use, Judge; you've got to come; nary a wink more sleep will you get this night, an' it's mighty nigh mornin' now, anyway. So jist 'lite' an' 'see' me!"

Grumbling with anger, the Judge got out of his bunk, and lighting a candle, unfastened the door.

Bill walked in. The Judge was in his underclothes, just as he had got up, with a blanket wrapped around him.

"Now, then, what the devil do you want, disturbing me at this hour of the night?" the Judge asked, an angry look upon his stern face.

"Thar's been blazes to pay up in the Eldorado—"

"Ah, some of Injun Dick's work?" asked the Judge, interrupting the speech of the stage-driver.

"Well, I reckon you'd better not bet on that, 'cos he ain't mixed up in the leetle affair at all."

"What has happened?"

"A feller murdered right in his bed—stuck jist like a pig."

"Who?"

"Young Gay, the miner, from up in the Gully, who's been on a 'tare' round hyer about three days."

"Gay?" said the Judge, thoughtfully.

"Yes, Gay Tenpennynail, or something of that sort; durned ef I know exactly. He's jist been gone for! he won't ante up any more, you bet!"

"Is he dead?"

"Well, I reckon he is; he's got as many digs as if he'd been huggin' a grizzly b'ar."

"When did this happen?" asked the Judge, beginning to dress himself.

"He was went for 'bout an hour ago. I know jist about the time, 'cos he an' me were a-h'ist'n down in the saloon all the evenin'. That poor cuss could drink more tanglefoot than any other man of his weight in the diggin's."

"Was he intoxicated when he went to bed?" asked the Judge, pulling his shirt over his head.

"I reckon he was; took me all I knew how fur to carry him up-stairs. I corraled him in bed, and left a candle burning; then I went down-stairs ag'in; an' 'bout an hour after, I came up an' jist thought I'd take a look an' see how the galoot was, an' we found



him kivered with blood. I really weakened, Judge; poor little cuss, he must have thrown up his hand mighty sudden."

"You say 'we'; was there anybody else with you when you discovered the murdered man?" the Judge asked, finishing his hasty toilet by pulling on his boots.

"Yes, Jim Rennet."

"Did you discover any trace of the murderer?" and as the Judge put this question, he buckled a navy revolver to his side.

"We discovered the weapon that did for him."

"Ah!" and Jones looked earnestly into Bill's face. He foresaw that the discovery of the murderer's weapon might prove a clew to the doer of the deed.

"After we found the body we went to call Miss Jinnie, just fur to tell her all 'bout it. Jim knocked on the door, an' it were unlatched an' flew open, an' thar stood Jinnie, with the bloody bowie in her hand, an' the blood from it had daubed all over the front of her dress."

Jones started, and a strange expression swept over his face. Bill noticed it and wondered at the look.

"Then Jim Rennet told me to run for you as fast as I could go, an' now you know just as much about it as I do."

"How did the girl appear when you discovered her with the bloody knife in her hand?" the Judge asked, fixing his keen eyes intently on the face of the driver.

"Skeered to death, you bet! I reckon her face was whiter nor a b'iled rag. Never see'd her skeered afore, either; she's just as full of pluck as a wild-cat; she ain't one of the squalling kind of females."

"I'm afraid that she will need all her courage," the Judge said, dryly, as he passed out into the air, Bill following, wondering in his mind what the Judge meant by this last remark.

Jones locked the door of the express office carefully behind him, and then started up the street toward the Eldorado. Bill came close behind him.

The mind of the driver was in a fog. A certain indefinite suspicion passed through his brain; he could attach but one meaning to the words of the Judge, and that put a human life in peril.

"It can't be," he muttered. "I wouldn't believe it if I see'd it; I'd swar my eyes lied."

When the two arrived at the Eldorado, they proceeded up-stairs at once. The saloon had been closed up, but the side door was open, and a light was burning on the counter.

As they passed by the bar, Bill noticed that the Chinese, Ah Ling, was asleep in his little bunk under the counter.

In the entry they found James Rennet. He had brought the lighted candle out of the room where the murder had been committed and placed it on the floor of the entry.

"I've told the Judge all 'bout it," Bill said, unconsciously lowering his voice almost to a whisper.

"Have you given the alarm?" Jones asked, in a low and guarded tone.

"No," Rennet replied; "I thought that I had better see you first."

"It is as well," the Judge said, slowly and thoughtfully.

"This is a terrible affair. Poor fellow!" observed Rennet; "I didn't think he had an enemy in the world."

"It is hard to tell, sometimes," Jones replied. "Have you formed any idea in regard to who committed the crime?"

"Yes," Rennet said, slowly.

"You have?" asked the Judge, quickly.

"Yes; has Bill told you about our discovering the girl with the bloody knife in her hand?"

"Yes."

"This man was never killed without an object," Rennet said, slowly.

"For his money, perhaps," said the Judge, with a covert glance into the face of the other.

"He had none."

"But, I have been informed that he has been on a spree for some little time, and has been spending money very freely," the Judge said.

"Exactly; but where that money came from, no one knew except the man whose body now lies cold in yonder room and the party who gave it to him."

The Judge stroked his chin for a few minutes in silence, his gaze bent upon the floor. Suddenly he spoke:

"Mr. Rennet, you have a suspicion as to who committed this deed of blood?"

"Yes."

"And the person?"

"The same one who gave Tendall his money. He was paid to keep his mouth shut. He owned as much to me when under the influence of liquor. This murder was committed to keep him silent. Whoever had reason to fear Tendall living, struck the blows which have insured his silence. If we find the person who paid Tendall, we shall find his murderer."

#### CHAPTER XXXV.

##### THE VIGILANTES.

For a few moments, there was silence in the entry-way. Bill almost fancied that he could hear the beating of his heart. As for the other two, they were too much absorbed in their common speculations as to the hand that had brought death to the drunken man to think of aught else.

Although they had not said so in words, yet both the Judge and Rennet felt sure that they could name the person who had struck the murderous blow, and that they both suspected the same person.

Bill felt as if he was under the influence of some horrid dream. He had guessed the thoughts of the others, and, though he had fought manfully against it, yet the terrible suspicion had crept into his mind also. Bill could hardly believe that he was awake, and it was not until he had slyly bitten his little finger that he became convinced of the fact.

"Murder is not committed without a reason," the Judge said, slowly, after a long pause. "If Tendall had no open enemy—"

"Not one in the world!" exclaimed Rennet; "I am sure of it."

"There must have been a motive for his killing, and although circumstances may point strongly to one party, unless we can prove that that party had some strong motive for the deed—some powerful

reason to wish the murdered man out of the way—we shall find it difficult to fix the crime upon the person, even though, in our minds, we may feel confident that we have put our hands upon the actual murderer," the Judge said, slowly and deliberately.

"I think that my evidence will furnish all the proof necessary to convict the murderer," Rennet replied.

"Indeed?" questioned the Judge, earnestly.

"Yes; some few days ago, while under the influence of liquor, Tendall uttered some careless words. At the time I paid but little attention to them; but, now, I feel sure that they will serve as a clew as to who and what his assassin is."

"And those words?"

"Had reference to the person who was paying him to keep his tongue still. I guessed at once who he was, and now, after the discovery that Bill and I made a little while ago, I feel sure that I can prove who it was that killed Tendall."

"I can hardly find it in my heart to admit this dreadful suspicion," Jones said, slowly.

"It is dreadful, but looks are sometimes deceptive. I think that if we proceed cautiously and promptly, we shall be able to find some other important proofs," Rennet observed.

"You think, then, that we had better act at once?"

"Yes," Rennet replied.

"Very well; I'll leave you in charge of the house and the body while I go and rouse the citizens. We shall have to call upon the Vigilantes in this matter; Injun Dick and his friends will probably attempt to give us trouble. Now that we have got our hand in, we might as well rid Spur City of two or three bad characters, or else string 'em up at the end of a rope as a warning. I think that we had better not proceed to active measures until morning. Do you think that there is any danger of the party attempting to escape?"

"No," Rennet replied; "all is dark in the room—gone to bed, of course."

"Pluck, eh?"

"More bravado than anything else."

"Well, you and Bill keep watch here. After day-break the Vigilantes will act." With this assurance, Judge Jones took his departure.

"I feel like a durned fool in this hyer matter," Bill blurted out. "I wish I'd druv my coach back to Austin instead of lettin' Ike go in my place; but I won't believe it! darned if I will."

"You'll find out before to-morrow night," Rennet said, dryly. Then he examined his watch. "Half after two; we sha'n't have a great while to wait until daybreak. Suppose you go in the room there, and bring out a couple of chairs."

"What, whar the dead man is?"

"Yes."

"No, I'm durned if I do!" exclaimed Bill, with a shiver. "I ain't afeard of much in this world, but I don't go in thar ag'in till daylight, you bet!"

"Why, Bill, you're a coward."

"I kin eat the man that says it, ef you'll only cut off his ears an' grease his head," Bill replied, stoutly. "Sides, thar ain't any cheers in thar; I reckon you think that you're in New York or Frisco, a-callin' fur cheers so handy."

"Perhaps there's a box round in the entry somewhere?" Rennet suggested.

"I see'd one a while ago, under the stairs," said Bill, after thinking for a moment.

Rennet took the candle, found the box and brought it with him to his former station. Then the two sat down upon it and kept vigilant watch, though, as Bill observed, "twa'n't much use to watch a dead man, 'cos he wouldn't run away, nohow you could fix it."

Rennet did not take the trouble to inform the stage-driver that he was watching the living and not the dead.

The express office was dimly lit by a half a dozen candles, burning in the tin sconces attached to the walls.

The flickering light fell upon half a dozen stern and resolute faces. The Vigilante leaders were gathered in council. Judge Jones sat at his desk; the others were seated around him. The most prominent men in Spur City were represented there.

Quietly they had assembled at the Judge's summons, roused from their slumber by the call of duty.

The Judge made a short speech, recounting the full particulars of the murder of Gaius Tendall, to which the others listened attentively.

"And now, fellow-citizens," said the Judge, after completing his recital, "I think that the time for action is come. I think that the strong right arm of justice should be felt by the rogues that harbor in our midst; it is time that they be taught a lesson. The Vigilantes must rise, take a hand in the game, and wipe out these scoundrels. Spur City needs purifying, fellow-citizens, and upon us devolves that duty. We must let the desperadoes in our midst understand that we are terribly in earnest. No child's play now; no more black cloaks, masks, and bug-a-boo stuff. Such fellows as this Dick Talbot laugh at it. You see that he has never heeded our menace at all. In fact, he defied our power by remaining. We don't want talk now, but work—short, sharp and decisive." Then the Judge sat down.

"But is there any reason, Judge, to connect Dick Talbot with this murder?" one of the committee asked.

"Well, no—not exactly," the Judge replied, slowly. "Still, as he is looked up to by a great many of these desperadoes as a sort of a leader, it would be as well to make an example of him and so strike terror into the rest."

"Yes; but, Judge, I don't see what excuse we have got for making an example out of Talbot," said another of the committee, Ben Haynes by name, who kept a general store next to the Eldorado.

"Well, only that he is the most conspicuous one of these roughs who are disgracing our town by their presence," Jones replied.

"It's true he don't work for a living and gets his bread by playing cards; there ain't anything so very bad about that, anyway—at least, not out in this region. They say he always plays a fair, square game, and never takes advantage of any man. Of course the men who play with him intend to win his money if they can; and I don't think much of a man who sits down to play cards with a gambler, and then squeals because he loses his money."

"To judge from your words, Haynes, you think that this reckless desperado is rather an honor to our town than a disgrace," Jones said, tartly.

"No, I don't think anything of the kind," Haynes replied, bluntly; "but I don't believe in giving a dog a bad name and then hanging him right off. I go in for justice every time. I don't say but what our town would be better without Dick Talbot than with him; but I ain't sure of it. I'm perfectly willing to ask him to leave town if the sentiment of our citizens is that way; but it ain't, and I know that it ain't. And I tell you, right out, fair and square, Judge, if we try to string Injun Dick up without reason, we'll have our hands full."

"I kinder think Haynes is right there," said another.

"But if the evidence proved that Talbot had a hand in the murder of this miner, Tendall?" asked the Judge.

"Why, then we'll have a right to put him through," replied Haynes; "but I say, Judge, we'll give him a fair shake."

"Certainly; we will keep justice on our side," the Judge said, blandly.

"Be sure you're right, and then go ahead! that's my motto!" exclaimed Haynes.

"Of course; unless we represent the whole of Spur City, our power amounts to but little. The people must be with us and not against us. The honest and peaceable citizens must feel that we are doing them a service in ridding our community of the desperate cases who have sought refuge here, or we shall be acting with our hands tied."

A murmur of assent told that this point was well taken. A course of action was soon resolved upon, and an hour after daybreak fixed upon as the time of action.

#### CHAPTER XXXVI.

##### THE ARREST.

The leaders of the Vigilantes dispersed to call out their friends. Bowie-knives and revolvers were in demand. The rising of the Vigilantes was something new for Spur City. The mining camp had never been "purified," to use the Western expression.

Dark forms flitted like spectral figures from shanty to shanty in the early morning gloom.

There is something irresistible in Judge Lynch's summons.

The first gray lights of the morning were beginning to appear above the horizon. The darker shades of night were flying fast before the coming of the day-god.

Judge Jones and two or three of the committee stood in front of the express office in busy consultation.

The programme was that the Vigilantes should not show their hands openly at first, but in case of an attempt by the rough element to obstruct the career of justice, to rise and make a terrible example of the ringleaders.

At last the Judge thought that the chances were in his favor. The discussion was ended that he had been taking an active part in, and he leaned back against the corner of the shanty. The first light of the morning, struggling through the mist and vapor of the dying night, illuminated his iron-like face. A look of satisfaction gleamed in his cold eyes.

As he leaned carelessly against the corner of the building, his arms folded across his massive chest, and his eyes fixed on the peaks of the far-off Sierra, gleaming bluish-white in the misty night, he seemed more like the statue of an ancient Roman, fantastically robed in the garb of modern times, than a living, breathing pioneer of the great Western advance-guard of American civilization.

The lips of the Judge moved, though the sound of his words was inaudible to all save himself. He was musing half aloud—a sign of deep thought.

"He will be sure to make some demonstration when he learns who it is that is accused of the murder of this miner. If he will only allow his passion to carry him away so as to defy our power—attempt to rescue the prisoner—excite a disturbance—do anything to give me a chance at him, I ask for nothing better. If he will only put himself in the wrong, so that I can have an excuse to string him up to a pine, I'd give ten years of my life, and I am not as young as I once was. How lucky this affair is! The odds are ten to one that it will drive Dick Talbot from Spur City; then who can keep me from the prize I seek to win?"

A look of fierce exultation swept over the face of the Judge as he put the question to himself. Victory seemed almost within his grasp.

The Judge was roused from his reverie by the sound of horses' hoofs. Three men came galloping up the street. The horsemen were the man-from-Red-Dog, the landlord of the Cosmopolitan, and Dave Reed.

The three pulled rein in front of the express office and dismounted.

"Say, Judge!" cried Brown, breathless, "we've cornered the critter!"

"Who?" asked Jones, in astonishment.

"Overland Kit!"

Each one of the little knot of men, grouped by the door of the shanty, started at this intelligence, and exclamations of astonishment rose in the air.

"You have captured Overland Kit?" the Judge queried.

"You bet!" replied the man-from-Red-Dog, in triumph.

"Where? where?" questioned all, gathering around the three in eager excitement.

"Up in the mountains; but he's passed in his checks," Brown said.

"Dead!" The Spur-Cityites were disappointed.

"I reckon that thar ain't any more life in him than in a dead mule's tail," Jim observed.

"Tell us all about it!" one of the citizens exclaimed. Brown briefly recounted how they had discovered the body of the road-agent, covered with wounds, behind the bowlder.

"Bore the marks of a desperate fight, eh?" Jones said.

"I reckon he did," Brown replied; "he was regularly chawed up."

Jones guessed at the truth in an instant. He remembered what the ruffian, Joe Rain, had said in regard to Overland Kit. It was plain to him that Kit



had tracked Rain, to punish him for his treachery, but had perished in the struggle.

"We kivered the body up with rocks so as to keep the wolves from it, Judge; but the critters had commenced on the face afore we got there," Brown said.

"Well, I suppose that you may as well let it be just where it is," said Jones, after thinking for a moment.

"But, I say; what's b'ilin', anyway, fur to bring you out of your roost so early?" Brown asked.

"There has been a murder committed; we are going to arrest the criminal; and if there is any resistance made, the Vigilantes will probably take a hand in," Jones replied.

"Wal, I don't keer if I jine in the funeral myself," the man-from-Red-Dog remarked, carelessly.

"Count me in, too," Brown said.

"And me; I go for order, every time!" Reed exclaimed; which remark, considering that the speaker had probably been in more "difficulties" than almost any other man in town, was something wonderful.

"Very well, gentlemen; we want all the good men in town; we may have to do a little cleaning out after we get our hand in," Jones said, dryly.

The approach of a force consisting of some fifteen men, marching up the street with military precision, put a stop to the conversation. The new-comers, all fully armed, were headed by Haynes.

"All ready, Judge, for a start," Haynes said, as he halted his men in front of the shanty.

"Life is short; we might as well be going," Jones remarked, putting himself at the head of the party.

Up the street went the squad, countermarching, and halted in front of the Eldorado. All within the hotel were apparently still asleep.

After deploying the squad so as to surround the building, Jones and Haynes entered the hotel. They ascended at once to the second floor. There they found Rennet and Bill seated on the box, keeping guard.

"Everything all right?" the Judge asked.

"Ain't a mouse stirred," Bill replied.

"The party is still here, then?"

"Yes; there hasn't been a movement in the room," Rennet said, rising to his feet, an example which Bill followed.

"I suppose that we might as well make the arrest now as at any other time," the Judge observed, slowly. It was plain that the duty was a disagreeable one, and that he hated to act in the premises.

"The sooner the better, I think," Rennet replied. "Justice shouldn't lag in a case of this sort. I think that the sooner we get the party out of this the better it will be, for, if the affair gets noised around, there may be a few, impelled by sympathy, who will interfere and make trouble."

"That is all provided for!" the Judge exclaimed, quickly. "I've got fifteen or twenty well-armed men down-stairs; enough to frown down any attempt at a rescue."

"You had better make the arrest, then, at once," Rennet said.

"Where is the body?" Haynes asked.

"In that room thar," and Bill pointed to the door.

"This is the room, isn't it?" Jones asked, pointing to the door of Jinnie's apartment.

"Yes," Rennet answered.

The Judge knocked at the door.

"Who's there?" asked Jinnie, apparently waking at once.

"I, Judge Jones. I want to see you at once, please." The voice of the Judge trembled as he spoke.

"Yes."

Then could be heard the sound of the girl moving around in the room. The light of a candle shone through the narrow crack over the door.

While Jinnie was dressing, the four in the entry remained silent as statues. The sound of their heavy breathing alone broke the stillness that seemed to rest like a pall upon all around. Grave were the faces of the four men as they waited.

At last the door opened and Jinnie appeared. She started just a little as she saw the four. In their stern faces she read signs of evil.

"What's the matter, gents?" she asked.

"Miss Jinnie, a painful duty devolves on me," the Judge said, slowly and reluctantly. "I must arrest you."

"Arrest me! for what?" questioned the girl, in dismay.

"For murder."

Slowly and solemnly the Judge uttered the terrible words.

"Arrest me for murder!" Jinnie exclaimed, as if she doubted the evidence of her ears.

"Yes; for the murder of Mr. Gaius Tendail."

Jinnie turned and took up her hat from the table.

"I am ready to go with you," she said, simply.

"Mr. Haynes, take charge of the lady; I must look at the body," the Judge said. Then he took the candle and entered the room of the murdered man. Hardly had he entered the room, when a loud cry of astonishment summoned all to his side.

## CHAPTER XXXVII.

### THE JUDGE "PUTS UP" THE CARDS.

The Judge stood just within the doorway, a look of blank amazement upon his face.

The others gazed into the room, and then they, too, cried out in astonishment.

*The body of Gaius Tendail was gone!*

There was the bed, the blanket spotted with the blood that had welled from the wounds of the stricken man, showing plainly where the body had lain, but the body itself had disappeared. The room was a small one, lit by a single window. At a glance the eyes saw all that it contained. The window, too, was closed.

"What has become of the body?" cried the Judge, amazed.

"Durned ef I know!" replied Bill, in utter astonishment.

"You kept watch of the door, Rennet?" the Judge asked.

"Yes; we've not taken our eyes from it," the young man answered. "A mouse couldn't have got out without our seeing it, let alone a human."

"I'll swar that neither hide nor hair has come out of this since you went away, Judge!" affirmed the driver.

"Some one must have removed the body through

the window, then," Jones said, a dark look upon his face. He stepped to the casement and opened it.

The window looked out upon a small shed. The Judge saw at a glance how easy it was for any one to ascend to the roof of the shed, and thus gain access to the room.

"I cannot understand this," he muttered, in an undertone, communing with himself. "What can be the motive for this movement? Some one is dealing me a blow in the dark. I must be on my guard, or else—" Then the Judge paused in his muttered speech as Rennet advanced to his side and looked out of the window.

"I guess the idea," Rennet said, in the ear of the Judge. "Some accomplice of the girl has removed the body by means of this window so as to destroy the proof against her."

"Yes, it looks like it," the Judge replied, thoughtfully.

"But it does not make any difference; we are not going to act according to the precise forms of law here. Both Bill and myself can swear that we saw the man dead. I think that our evidence will be enough to convince any one of the death of the man, even if we cannot produce the body, or tell what has become of it."

"In my mind, the fact of the body being spirited away, is strong evidence of the girl's guilt," Jones said, with a covert glance into the face of the other.

"Yes, it is so."

"I think that I had better search her room; there we may be able to secure some proof regarding this terrible deed."

"That is the proper course, Judge."

"You had better make the search, and I will assist you," the Judge said, slowly.

Judge Jones seemed strangely ill at ease.

The two then went into Jinnie's room, Jones bidding Haynes remain with the prisoner in the entry.

A long breath came from Judge Jones's lips as he entered the little apartment. It was plainly but neatly furnished.

"About the bloody knife?" the Judge asked.

"I secured it last night; Bill has it now," Rennet answered. "I did not wish to rouse the girl's suspicions that we thought she was concerned in the murder, so I told her that I would take charge of the body, and that she could go to bed and not bother herself about it."

"That was wise."

And as the Judge spoke, his eyes fell upon the blood-stained apron that Jinnie had worn on the preceding evening.

"More proof," he said.

A little trunk stood in one corner. It was unlocked, and Rennet opened it. He pulled the clothes out carelessly; as he did so, a folded sheet of note-paper fluttered to the ground. The Judge snatched it up eagerly.

As he opened it a peculiar expression flashed across his face, and a fierce light burned in his cold eyes.

"This establishes the motive for the deed!" he said, quickly; then folded the letter and placed it inside his pocket-book with some other papers and returned the book to the breast-pocket of his coat. "Stay!" he said, after a moment's thought. "You had better write your name on the back of the paper so that you can swear to it when produced in evidence."

Then the Judge took out the pocket-book again. It was a long one, such as are usually carried by business men, and contained quite a number of folded papers similar to the one that had come from the folds of Jinnie's garments. The Judge took out the folded sheet that he had placed on top of the others, and Rennet wrote his name in pencil on it.

"There, now; we will be able to prove conclusively that it came from the trunk of the girl," the Judge said, and he half-unfolded the paper as he spoke. "Just see what terrible evidence it is against her."

Rennet glanced at the last few words written on the paper and nodded assent.

They went on with the search; but nothing else was found that seemed to have any relation to the murder. Satisfied, at length, the two gave over the search and rejoined the party in the entry.

Jinnie had not spoken a word. She had waited calmly and quietly. Haynes, who had watched the girl attentively, was bothered. He could not help thinking that she was either totally innocent of all knowledge of the crime or else she had more than common courage.

The party went down-stairs; the pickets were called in; Jinnie was placed in the center of the armed men, and the line of march taken up for the express-office.

The astonishment of the man-from-Red-Dog when he saw that Jinnie was the criminal he had volunteered to arrest, was extremely great.

"Sho! that gal the critter? Twenty of us galoots, armed tooth and nail, fur to arrest one female! I reckon I'll sell out my share in this hyer b'ilin' cheap. Ain't felt so mean since the Digger Injuns stole my mule!" he muttered, in disgust.

The proceedings in the Eldorado had taken up some little time, and it was broad daylight when the party, bearing Jinnie as a prisoner in their midst, marched through the street.

Great was the astonishment of the inhabitants of the mining camp, who, of course, were ignorant of the terrible deed done under cover of the night, when they saw the little procession.

The news of the arrest of Jinnie for the murder of Gaius Tendail ran like wildfire through the town. Those who were up and saw the arrest, made it their business to wake up those who were asleep, and tell them the news. Swift horses, ridden by reckless riders, bore the news to Gopher Gully, Paddy's Flat, and other outlying regions owning Spur City as a center.

To do justice to the inhabitants of the mining camp, it is necessary to remark, that almost to a man they "haw-hawed" at the idea of Eldorado Jennie committing murder. Popular sentiment was strongly in her favor, and some even went so far as to call Judge Jones a "durned old fool!"

The miners came pouring into town. Whisky was at a premium, and the saloon-keepers were jubilant. The Eldorado alone, of all the places of public entertainment in Spur City, did not share in the general bustle. The doors were tightly closed, and the stillness of death reigned within. The

Chinese, Ah Ling, had disappeared. The adventurous seekers after knowledge, who had penetrated into the house, urged on by the morbid curiosity peculiar to the masses to gaze on the scene of a bloody deed, found all the doors locked and Dick Talbot in possession of the premises.

Talbot had been hunted up by the man-from-Red-Dog the night after the arrest.

Injun Dick said very little in regard to the affair; and when asked his opinion as to Jinnie's innocence or guilt, merely smiled quietly, and asked the questioners if they thought that the Reese would ever run backward. It was plain that Dick did not feel at all alarmed.

Old Mr. Rennet awakened Bernice at an early hour, and told her of the terrible murder that had been committed, and the accusation brought against the landlady of the Eldorado.

"They've carried her off and are going to try her before that remarkable specimen of a judge who runs the machine in this delectable region," he said, in conclusion. "The landlady of this first-class hotel is in 'durance vile,' the Chinaman cook has taken it into his head to abscond, so that we shall have to look after our provender, to-day, ourselves; but you needn't be alarmed, my dear; I've been on a foraging tour already. I've secured six boxes of sardines and a choice assortment of cove oysters, canned salmon, lobsters, etc., and four pounds of crackers, so that we are not likely to starve."

"When is the girl to be tried?" Bernice asked, a thoughtful expression on her face.

"Some time this morning."

"Do you suppose that she has a lawyer to defend her?"

"A lawyer! what, in this region?" old Rennet asked, in comic astonishment. "Oh, no; unless it's some one like myself on a wild-goose chase. The law here, my dear, lies in a revolver, and the quickest man on the trigger is the ablest practitioner."

"Mr. Rennet, won't you speak for her?" asked Bernice, quickly, laying her hand pleadingly on the lawyer's arm.

"What! you want to get me into another lawsuit? I've already pleaded and won one case for you."

"Oh, Mr. Rennet, you cannot guess how much I am interested in this girl!" Bernice exclaimed, earnestly. "She must be saved; the happiness of one that I love depends upon her. For his sake, she must be saved!"

"His sake! who?" asked the old lawyer, in a maze.

"I cannot explain that," Bernice replied, in confusion; "I cannot explain to you the motives that actuate me; but she must be saved," she repeated, earnestly.

"All right. I've only got one fault—I never could refuse a woman anything. I'll go for this one-horse judge again!" cried old Rennet, excitedly.

## CHAPTER XXXVIII.

### THE ACCUSATION.

It was after nine o'clock before the court assembled to try Jinnie Johnson for the murder of the miner, Gaius Tendail.

The express office had been selected as the place of trial.

Of course it was crowded to suffocation.

Judge Jones presided. The jury, twelve good men and true, were seated on a rudely-constructed seat by the wall. A strong guard of well-armed men kept back the crowd.

All the noted men of Spur City were there—Dick Talbot, the man-from-Red-Dog, Billy Brown, the landlord of the Cosmopolitan, Dave Reed, from Gopher Gully, Yellow Jim, of Paddy's Flat, and many others less known to fame.

Old Rennet had managed to squeeze in close to the line of men who kept back the spectators.

Judge Jones opened the court with a brief speech.

"Fellow-citizens," he said, "we are assembled here, to-day, for a very important purpose. Last night one of our townsmen was brutally murdered in the Eldorado Hotel. The prisoner, known to you all as Jinnie Johnson, stands accused of committing that murder. It behooves us, for the reputation of our town, to discover and punish the doer of the deed. Miss Johnson, are you guilty or not guilty?"

"Not guilty," replied Jinnie, firmly. "Why should I harm him? I never had any grudge against him."

"I'll bet a mule ag'in' a yaller pup she didn't do it!" howled the man-from-Red-Dog.

The Judge paid no attention to the interruption.

"The court will now proceed to examine the witnesses," Jones said. "As the prisoner has no one to speak for her, I will see that she has full justice done her."

"I beg your pardon, sir; I stand ready to act as counsel for the prisoner!" exclaimed old Rennet, striving to push through the line of men, who resisted the attempt.

"Ef you don't let the old fat cuss through, I'll climb all over you!" cried the Red-Dogite, shoving back the stalwart fellow who opposed Rennet's progress.

"What!" cried the guard, in a rage, leveling his revolver full in the face of Jim.

"Say, you p'int that we'pon at me, thar'll be a first-class funeral round hyer to-morrow, an' you'll ride in the first carriage!" cried the man-from-Red-Dog, defiantly.

There was a lively prospect of a row for a few minutes, but Talbot and a few others got between the angry guard and the Red-Dogite, and succeeded in calming the disturbance.

Rennet passed through the guards, and took a position by the side of the prisoner while the commotion was going on.

"Don't be afraid, my girl," he said, encouragingly; "you're not without friends."

A grateful look from Jinnie rewarded him for his words.

Judge Jones surveyed the old lawyer with a peculiar expression in his eyes; it seemed to be one of scornful defiance.

The troubled waters were calmed, and the trial proceeded.

The first witness called was James Rennet. He gave a clear account of the discovery of the body, of knocking at the door of Jinnie's room, and the discovery of the girl with the bloody knife in her hand.



"I found it on the floor, and took it up to look at it," cried Jinnie, interrupting the evidence.

"Hush, my dear," said the old lawyer. Young Rennet then told of his summoning Judge Jones, and of the events that followed.

Ginger Bill, the driver, then gave his evidence, which differed but little from that of Rennet. The only important point was that it indicated the time when the murder must have been committed.

Old Rennet put a few unimportant questions to the two witnesses; they chiefly related to the appearance of the murdered man when discovered by them.

"You see, gentlemen of the jury, the way the evidence tends," the Judge said. "They put the miner, Tendail, to bed, and about an hour afterward found him weltering in his gore; then, on knocking at the door of the prisoner's room, the door flies open, and the prisoner is discovered with a bloody bowie-knife in her hand, and some portions of her dress stained with blood."

The Judge then produced the apron, which showed the blood-spots plainly on its white surface.

"Gentlemen of the jury," said the old lawyer, in his bland, oily way, "as the proceedings of this court are not conducted according to regular rules, I propose that we let Miss Jinnie tell her own story about this bloody knife and the spots of blood upon her garments. We are after the truth, and, of course, it doesn't matter much how we get at it, as long as we do get at it. I have too much faith in the manhood of the free American citizens here on the frontier, the pioneers of civilization, bearing the starry banner of our great republic amid hostile foes, to doubt but they will do full justice to a young and helpless woman, especially when her life or death hangs on their acts!" And, after this little Fourth-of-Julyism—this fragment of the "stump," Rennet looked around, and smiled benignantly. The hum of approval that arose told that his shot had struck home.

"Now, my dear, give us your account of this affair," continued the old lawyer, addressing the young girl.

"Yes, sir," Jinnie said, in a clear voice, and without a trace of embarrassment in her manner. "After I shut up the saloon, I went up-stairs to my room. I knew that there was a candle there, so I didn't carry one up with me, only some matches. I lit the candle, and it took me a few minutes, because I couldn't make the matches burn that I had with me; so I had to hunt for some that were in the room. After I lit the candle I turned round to fasten the door, and then I saw the bowie-knife covered with blood, lying on the floor. From the place it was lying, I judged that some one had opened the door in the dark and thrown it in. That was what I thought the moment I saw it. I picked it up and some of the blood dropped off on my dress, and just then the door flew open, and I saw Mr. Rennet and Bill. When they told me that Gay was murdered, I guessed instantly that he had been killed by the knife that I held in my hands. Of course I felt faint just a bit, though I ain't one of the fainting kind."

All within the room had listened attentively to the girl's words, and few there but believed that she spoke the truth.

Old Rennet looked around with an air of triumph.

"You see, gentlemen of the jury, how clear, how lucid is the young lady's statement. It carries conviction on the face of it. See how plain it is that the murderer, after committing the deed of blood, was naturally anxious to get rid of the bloody instrument, and opening the first door that came handy, cast in the crimson-stained knife. And again, I put it to you, gentlemen of the jury, as sensible and intelligent men, is it natural for any one to commit such a cold-blooded, coolly-calculated murder, as this deed of blood must have been, and then allow himself or herself to be surprised with the very weapon of death, stained with the blood of the victim, in his or her hand? Of course not! It is utterly out of the question. The first impression of the criminal is to remove all evidence implicating him with the foul deed. And now we come to the strongest point of all. What motive had this girl to commit the deed? Weigh that question well! What difference could it possibly make to her whether Gaius Tendail was in the world or out of it? That's the point!" And Rennet paused and looked around him, as if to give time for all to consider his words.

"A man does not stain his soul in crime without an object. There was some reason for this murder, but you cannot connect the prisoner at the bar with it. There is no motive whatever for her committing the deed. The evidence against her, too, is of the weakest kind. Let me ask you, gentlemen of the jury, to put yourselves in the place of this girl; let any one of you enter your apartment at night, and, finding a bloody knife on the floor, what would be more natural than for you to pick it up and examine it? Then some one opens the door suddenly; you are found with the knife in your hand. How would any one of you like to be convicted of murder on such evidence?"

The keen eyes of the old lawyer detected by the expression of the faces of the jury that he had made the impression that he wished; but the cold smile which hovered around Judge Jones's lips puzzled him.

"Gentlemen of the jury," the Judge said, in his harsh, stern voice, "you have listened to the eloquent address of this distinguished gentleman from the East. It is not for me, very little of a lawyer, to attempt to measure legal wits with him. I am only a plain man; I trust, an honest one; and in my present very disagreeable position, I am striving to do the best I can for the good of the community in which I live. Every one of our Western towns has had, at some time or other, earlier or later, to be purified of the desperadoes who prey upon good citizens. A terrible crime has been committed right in our midst; a woman is suspected of that crime; but, because she is a woman, is that a reason why we should harbor her if she is guilty? No; if she is guilty, she ought to be punished! If she was a man, and found guilty of murder, I'd recommend the first rope and pine tree that came handy; but her sex protects her from that. But, fellow-citizens, if we find that she is guilty of this cold-blooded murder, we can send her to Austin, where the regular authorities will take charge of her and deal with her according to her deserts. I say these few words, fellow-citizens, so that no false sympathy will prevent you

from doing your duty. And now, to return to the question of the prisoner's guilt or innocence, it is claimed that she had no motive for committing the deed. There was a motive, and I have the proof regarding it."

The words of the Judge created a decided movement among the inmates of the impromptu courtroom.

The jury looked at each other in astonishment; they had about made up their minds that Jinnie was innocent, and the decided words of Jones puzzled them.

Rennet hardly knew what to make of it, for he was sure that the girl had spoken the truth.

As for Jinnie, she looked at the Judge in amazement.

The spectators watched the proceedings with breathless anxiety.

#### CHAPTER XXXIX.

##### THE PROOF OF GUILT.

THERE was a look of triumph in the eyes of the Judge as he looked around him and noted the effect of his words.

"Mr. Rennet, we'll examine you again," Jones said.

The young man stepped forward.

"You were intimate with the murdered man?"

"Yes."

"Did you ever hear him say anything regarding a hold that he had on a certain person?"

"Yes."

"Relate the particulars."

"I met Gaius in front of the Eldorado about three weeks ago; he was under the influence of liquor, and boasted that he had plenty of money. I think he remarked that he had struck 'pay-dirt.' I asked him if he had been gambling, and he replied, 'no'; but that he had discovered a secret which somebody would pay him well to keep."

"Did he say anything to indicate to you who it was that he had a hold on?" the Judge asked.

"Yes."

All within the room leaned forward anxiously, and the supposed criminal, Jinnie, seemed as much in the dark as to what was to come as any of the rest.

"Who was the person indicated by him?"

"The prisoner at the bar, Jinnie Johnson."

A look of utter astonishment swept over Jinnie's face at these words.

"I should like to ask the witness a question," said the old lawyer, rising.

"Certainly," replied the Judge, with an air of assurance that plainly said that he did not think that the old lawyer could make much out of his son.

"Did the murdered man tell you that he possessed a secret concerning Miss Jinnie, and which she was paying him to keep silent?" the old lawyer asked.

"He did not mention her name, but he gave me to understand that he meant her!"

"How gave you to understand?"

"By inference."

"Ah," and the old lawyer glanced at the jury as if to call their especial attention to his words, "he did not say that he possessed a secret concerning Miss Jinnie?"

"Not in those words; no."

"But you guessed that he referred to her?"

"Yes."

"What gave you that opinion?"

"Because he said that hereafter he would have the best room in the Eldorado—"

"Nothing in that," interrupted the lawyer; "the Eldorado is the best house in town; a man with money would naturally say that he would have the best room in the best hotel, without reference to who kept it."

"Then I asked him openly if the secret concerned Miss Jinnie?"

"And he answered yes?"

"No; he evaded the question, and said that I couldn't pump him even if he was drunk."

"You see the value of this evidence, gentlemen of the jury; sup-*po-si-tion*!" and the lawyer laid a decided emphasis on the word. "The moon was once 'supposed' to be of green cheese; perhaps it is, but I don't believe, gentlemen of the jury, that you believe it." Then Rennet sat down, perfectly satisfied. One thing, though, puzzled him; the face of Judge Jones never lost its confident expression.

"You are under oath, Mr. Rennet, and you declare to the best of your knowledge and belief that when Gaius Tendail, the murdered man, said that he had a secret concerning some one, that he referred to the landlady of the Eldorado?" the Judge asked, with measured accent.

"I do," replied the young man, firmly.

"That will do."

The young man retired.

"And now, gentlemen of the jury, I will present a proof to you that a secret understanding existed between the prisoner at the bar and the murdered man; that he had a hold upon her; that she was paying him to keep silent; and this proof cannot be explained away by any legal craft."

The silence in the room that succeeded the words of the Judge was oppressive; court, spectators, all, seemed to hold their breath as though the slightest sound would disturb the solemn scene.

The Judge drew a folded paper from his pocket-book, and opened it slowly.

"This paper was found by Mr. Rennet in the trunk of the prisoner, in her room at the Eldorado. I was present, and in order that there should be no doubt, I caused Mr. Rennet to write his name on the paper."

When the Judge produced the little folded page, a burning blush swept over the face of the girl, but, as he continued on in his speech, it was succeeded by a puzzled look.

All wondered at the varying expressions upon her face, for almost every eye in the room was fixed upon her.

Old Rennet was bewildered; the calm confidence of the Judge, and the confusion of the girl astonished him.

"I will first read what is written on the paper aloud, and then submit it to your inspection," the Judge said, addressing the jury.

Jinnie leaned forward in breathless astonishment, her lips slightly apart and her eyes dilated with amazement.

"*MISS JINNIE*:—The money you gave me is gone, and I want more. I have come to the conclusion

that you didn't pay half well enough. Why, I have only to speak and you will be ruined forever. If you want me to keep my mouth shut, you must pony up. Take an early opportunity to see me, or I shall be obliged to call upon you. Spur City would be slightly astonished if it knew what I know. I don't want to make any trouble, but money I must have. You are making plenty; spare a little for me, or else I shall be obliged to enlighten the world as to who and what you really are."

A deep silence ensued. The miners looked at each other in astonishment, and the most amazed person in the room seemed to be the prisoner, Jinnie.

The Judge handed the paper to the jury.

"Examine it well, gentlemen," he said; "you see that it is addressed to the prisoner. Here is the motive for the murder. This man, Tendail, possessed a secret concerning the prisoner; to preserve that secret he was killed."

"Have you any proof that that paper was written by the murdered man?" exclaimed Rennet, catching at straws.

"Yes, your son will bear witness to that fact," the Judge answered, calmly.

Young Rennet's testimony to that effect was complete and overwhelming.

The old lawyer sat down in disgust.

"What the secret is, to preserve which this murder was committed, does not appear; possibly it is in regard to the person who found the girl the money with which she started the Eldorado?" and the Judge cast a side glance at Dick as he spoke.

"That isn't so, Judge!" exclaimed Talbot, in a calm voice, although the purple veins in his temples were swelled out like whip-cords. "I found the money! I'm not ashamed to own it! she's not ashamed of it! Everybody in Spur City could have known it, if it had been any of their business. That girl there is my promised wife; you're trying by false swearing to blacken her good name; you're a set of contemptible cowards to persecute a woman, and I'll hold every man engaged in this affair personally responsible for it, and you, Judge Jones, will be the first!"

The Judge turned deadly pale and half-drew the revolver belted at his waist, but he paused as he caught sight of Dick's actions.

Talbot had his Derringer in the pocket of his sack-coat, ready cocked, his hand on it, and by simply raising his arm, without withdrawing his hand from the pocket, he "covered" the Judge.

Jones shut his teeth tightly together.

"I call upon all good citizens to protect me from this ruffian," he said, appealingly.

"Look hyer, Talbot, you're too fast!" exclaimed Haynes. "I reckon that I'm foreman of this jury, an' I'll see that the gal has justice and a fair show. Go ahead, Judge; we ain't a-goin' to have any disturbance hyer."

"I kin settle it!" shouted the man-from-Red-Dog, suddenly, pushing through the line of men into the open space beyond. "Thar's been a feller killed; good! I'm the galoot wot killed him! Go fur me, now, ye cripples! I'm ready fur to take my gruel like a little man! Say, sis, jist slide out with Injun!"

To say that the speech of Dandy Jim created no little astonishment would be but the truth.

"You the murderer? Impossible!" cried the Judge.

"He was goin' up the Gully with us at the time!" exclaimed Billy Brown.

"Wot's the use of talkin'?" cried the Red-Dogite, indignantly. "I say that I'm the man that climbed him. Wot more do you want? Hadn't I ought to know? You bet! Gents, I'm yer antelope!"

But the friends of the man-from-Red-Dog seized upon him, and, despite his indignant protests, pulled him back into the crowd again.

"Why can't I be hung for Injun an' the gal if I want to, you durned set of no-souled cusses, you?" he cried, in wrath.

After the tumult caused by this little series of incidents had expired, old Rennet sprang to his feet.

"Gentlemen of the jury, you are trying this girl for the murder of Gaius Tendail. Where's your proof that the man is dead? where is his body?" he cried.

"Spirited off by accomplices in the murder," replied the Judge. "Two witnesses swear to the man's death."

"I protest against the authority of this court. You have no legal right to try this girl!" Rennet cried, excitedly.

"Judge Lynch gives the right," replied the Judge, sternly. "Gentlemen of the jury, you will retire and deliberate upon your verdict. Gentlemen of the guard, clear the room!"

And thus the trial ended. The citizens gathered in knots; ominous words were freely bandied around.

#### CHAPTER XL.

##### AN UNEXPECTED WITNESS.

THE jury were conveyed under guard to a shanty near by.

The Judge posted sentinels around the express office, and stationed ten of the armed men at the door. It was plain that he feared a rescue.

Jinnie remained alone in the office.

After attending to the disposition of his forces the Judge entered the office again.

"Guess he's going to try and get her to make a clean breast of it," one of the men remarked, as the Judge closed it behind him.

Jinnie sat by the Judge's desk, her head resting on her arm. She looked up in astonishment when she saw who it was. Her face fully expressed her amazement.

The Judge stood silent in the center of the room for a few moments and surveyed her; his face was as rigid as though carved out of marble.

"You're in a terrible plight, Jinnie," he said at length.

"Yes, I suppose so," she answered, slowly.

"Everything has gone against you; the attempt of Talbot to interfere in your behalf has only made matters worse. The citizens have now made up their minds that it will not do to let the gamblers and desperadoes rule Spur City. They will make an example of you to show the rough element that they can't rule the town."

"Dick only acted like a man, that's all," replied the girl.

"You do not fear the verdict?"



"No; why should I? I'm innocent; I know it and Heaven above knows it, too," Jinnie said, earnestly. "They will bring you in guilty."

"How do you know?" she asked, quickly. "Have you told them what they ought to say?"

"No; why do you think that way?" the Judge questioned, a slight frown clouding his face. "Besides, it wouldn't matter what I might say. They will find the verdict according to the evidence, and that is terribly against you. What reason have you to think that I would do aught to harm you?"

"Because you act that way," the girl replied, simply.

"You misconstrue my acts. I am your friend—more than that, I love you. I told you so once before."

"You take a queer way to show it," Jinnie answered. "I should think that you hated rather than loved me."

"Again you are wrong. I can and will explain everything," he said, earnestly. "I have taken the lead in this affair, so that I might control it—so that I might save you from the danger that threatens you."

"Save me?" Jinnie said, incredulously.

"Yes; you do not believe me?"

"No."

"Listen and be convinced!" he cried, quickly. "The jury will bring in a verdict of guilty. Then you will be carried to Austin and delivered into the hands of the regular officers of justice. You will be tried there, and they will probably sentence you to the State Prison for life. Think what a fate that will be, to spend all the rest of your life within four stone walls, and you so young, so full of life! Is not that a fate worse than death? From that fate I come to save you."

The girl looked him steadily in the face but made no reply.

"Jinnie, I own frankly that I would rather see you dead than see you the wife of this Talbot. Events have so shaped themselves that you will have to choose between the prison-cell and me. I can and will save you if you will only let me. Surely, it is not a hard fate to become the wife of a man who loves you as I love you! Jinnie, we'll go far from here—leave this country altogether. We'll go where no one will know either of us, and in some great city forget the life that we have left behind us."

"There's one thing that I won't forget easy," replied the girl quickly.

"And that is?"

"That I love the man that you're trying to tear me away from better than I do my own life. It's no use, Judge; to love you, I've got to be born over again."

"Oh, foolish girl! Do you prefer a prison-cell to my arms?" cried the stern man, in despair.

"That's so, Judge; it's the truth and I must speak it." Little sign of weakness or indecision was there in the voice of the maiden.

"Take time to think, Jinnie; you are now shaping out your life for the next twenty years—perhaps for as long as you shall live. Do not answer hastily," the Judge said, imploringly.

"Judge, I have given you my answer; I can't change it until I am changed. Though all the world may think me guilty, yet I know that I am innocent. Dick don't think that I'm guilty, and I would rather have his good opinion than all the world besides."

Judge Jones gazed for a moment into the glowing face of the girl. He saw that words were useless.

"Well, be it so," he said, slowly; "you accept your fate. I'll wash my hands of the whole affair."

The Judge walked slowly to the door; he paused for a moment, irresolute.

"Jinnie, are you mad?" he cried.

"Maybe I am, but I'm happy in my madness," she replied.

"I give you one more chance—"

"It's no use, Judge; to tell you the honest truth, I'd rather marry a snake than you. You put me in mind of one every time I look at you. There's something in your face that chills my heart."

The Judge's eyes flashed in anger; a withering look he flung at the plain-speaking girl, but he uttered no words. A moment he looked upon her, and then left the room.

Jinnie once again was alone. Alone? No! for the memory of Talbot's face was in her mind; she felt his kisses upon her lips, and the electric thrill of his arm around her waist. Sometimes the thought is almost as pleasant as the reality.

The Judge paced up and down outside of the express office, a gloomy look upon his face.

"The foolish girl defies me," he muttered. "Just as fate willed that everything should aid me, the will of a weak girl baffles me. Obstacle after obstacle have I swept from my way. I have cut a passage through rocks to find my progress barred by a cloud. One satisfaction though; if not for me, not for him. A poor result for so much toil and craft."

The appearance of the jury put a sudden stop to the gloomy meditations of the Judge.

A rush was instantly made by the crowd for the court room, as the express office was now termed, but the guard at the door kept them back until the Judge and jury got in, then they allowed the rest to enter. The man from Red-Dog happened to be some distance up the street, endeavoring to "get on" a "side bet" as to how long the jury would be out, and, consequently, the better part of the crowd got in before him, and he only succeeded in getting a position in the doorway, much to his disgust.

He offered to give any one inside five dollars for his position, or fight him a fair stand-up fight for it, both which offers found no takers; thereupon, he expressed his opinion that Spur City was a mean sort of place, and that he could drink more whisky than any man in it. As no one denied this, Jim was unable to negotiate a wager.

The jury resumed their places, and the crowd hushed their noise.

One could hardly have guessed from the quiet face of the girl that the dreadful charge of murder was hanging over her.

"Now, gentlemen of the jury, have you decided on your verdict?" asked the Judge.

"We have," replied Haynes, the foreman of the jury.

"Hold on! stop yer mule-team!" yelled the man from Red-Dog, vainly trying to force his way in at

the door, a proceeding on his part which was fiercely resisted by those inside.

"Get off my toes!" "Take your elbow out'n my side!" "Shet up!" and a number of choice expressions rose above the din.

"Stop that disturbance!" yelled the Judge, in anger.

"Hold on! I've got a witness!" shouted Jim, using his head as a battering-ram, and battling his way through the crowd. The result of this was that the mass gave way, and the man from Red-Dog, dragging the Heathen Chinese by the collar, appeared in the little opening by the side of the jury.

"Is this your witness?" exclaimed the Judge, in anger. "His evidence cannot be received."

"Why not?" asked Jim.

"He is a Chinaman!"

"No, no! No John hyer!" yelled a dozen of the crowd, imbued with all the miner prejudice against the almond-eyed Oriental.

"You can't try the gal for the murder of Gay Tendail!" shouted the Red-Dogite, defiantly.

"Why not?" questioned half a score of voices. The court was resolving into a caucus.

"'Cos he ain't dead! he's alive!" yelled Jim, in triumph.

## CHAPTER XLI.

### "JOHN" SPEAKS.

"ALIVE? Whar! Sho!"

A perfect Babel of sounds rose on the air. The excitement was contagious. Judge Jones alone preserved his calmness; like a statue he sat in his chair, his face ashen pale, and his breath coming quick and hard.

"Up at the Eldorado ranch!" answered Jim. "This heathen toted him off last night an' tended him like a Christian. The yaller-skinned cuss didn't know till a little while ago that the gal was a-being tried for his murder; and when he found out, he come down like a man for to spit it out!"

Then the crowd made a rush through the door for the Eldorado. The man from Red-Dog picked up the heathen in his arms as if he had been a baby, and, aided by his long legs, was soon in the advance of the crowd. The jury even yielded to the contagion, and forgetting all about the prisoner, ran after the spectators and the armed guard.

With a single bound, Jinnie leaped into Dick's arms. Again she felt the warm embrace which brought such joy to her heart.

When the lovers looked around, they found that they were alone, for Judge Jones, too, had disappeared. Talbot noticed his absence in an instant.

"Hallo! where did the Judge go?" he said, in astonishment; "he didn't pass by us, I'll swear!"

Then Talbot's eyes caught sight of a small door in the other end of the building.

"He must have gone through there," he exclaimed.

"That leads into the shed where he keeps his horse," Jinnie said.

"Yes, I know it," Talbot answered.

Then the sound of horse's hoofs rung out on the air. Talbot ran to the window just in time to catch sight of the Judge galloping off.

"He must have had his horse all ready saddled," Talbot said, thoughtfully. "He was prepared, then, for flight; but, is it for good?"

"He fears your vengeance, Dick," Jinnie said.

"He has nothing to fear from me; there is another who will strike him," Dick replied.

Then they left the express office and proceeded to the hotel.

The crowd raced up the street, and, headed by the Chinaman, soon had the satisfaction of gazing on the face of Gaius Tendail. The young man was very faint from loss of blood; could not even speak, but he still lived, and one of the citizens who professed to be a doctor, after examining him, gave his opinion that he would recover.

The Heathen Chinese had selected a strange place for the senseless man. The shanty, dignified by the title of hotel, was raised some three feet from the ground by massive bowlders; the space under was boarded in. The sagacious son of the East had removed a couple of loose boards in the floor behind the bar, carried the senseless man under the flooring, and, with the blankets taken from his own bunk, arranged a bed for him.

"What in thunder did you hide him down there for?" asked Bill, in astonishment, as he assisted to remove the almost lifeless man from his place of concealment.

"Melican man—comme back—kille he more," replied the heathen.

"Sho! Did you see who went for him?" asked Haynes.

"Me see—alle time," said the Chinaman, grinning.

"Who? Who was it?" asked the crowd, anxiously.

"He telle—alle same—John no likee—Melican man kille he, too," answered the cautious child of the Sun.

The miners at once came to the conclusion that Ah Ling had seen the murder committed, but that the murderer was a stranger to him.

"Me hide—see Melican man kille—no likee telle—how can he?"

The crowd guessed at the mystery. The Chinese had seen the murder committed and the assassin depart; then had seen Rennet and Bill discover the body and heard the message dispatched to the Judge. Then he had entered the room by the window and removed the body. Such was their solution of the riddle. But the true one was—the Chinaman had entered the room immediately after the assassin departed; had examined the body and discovered that Gaius still lived; then, surprised by Rennet and Bill, he had sought refuge under the bed and seized the first opportunity to remove the helpless man through the aid of the window.

Talbot and Jinnie had joined the crowd and listened attentively. A strange expression came over the face of Injun Dick as he heard the heathen's story. He seized an early opportunity to speak with the Chinese apart, but the information he gained he kept to himself.

Restoratives were applied to the wounded man, and the crowd waited anxiously till he should revive and speak the name of his assassin.

## CHAPTER XLII.

### JUSTICE.

Riding northward by the side of the Reese, mounted upon a wiry gray pony, was a pale and haggard man.

The flanks of the animal showed the lather of the rapid gallop and the dark stains of the cruel spurs. Foam fell from the mouth of the horse. He had evidently been pressed at his topmost speed.

The moon was rising in the heavens, already dotted over with myriad stars. The cold, white peaks of the frowning Sierra pierced the sky like giant icebergs. The pines rustled softly in the breeze and their balsamic odor filled the air.

But the traveler—fugitive rather—heeded not the rising moon, the rustle of the pines, nor the perfume that floated on the bosom of the clear mountain air.

He had eyes and ears but for one thing only, pursuit!

A dozen times in his onward rapid gallop, pushing forward as fast as his horse could carry him, he had fancied that he had heard the sound of horse's hoofs behind him. A dozen times, while covering the last mile, he pulled the silver-mounted revolver from his belt, and with a nervous hand, drew back the hammer, ready for action; and then, with a curse upon his cowardly fear, satisfied that he heard only the rustle of the pines in the breeze, and that the pursuing horseman existed but in his imagination, he had let down the hammer upon the cap, and pushed back the weapon in its pouch.

"Why should I fear?" he asked himself, for the hundredth time. "I am like a child, frightened at a shadow. I am safe," he repeated, as though some still voice within whispered of danger. "I have pushed my horse as fast as he could go. If I have been pursued, they should have gained on me by this time, if their horses are better than mine. They! theirs! I speak in the plural," he cried, with a bitter laugh, "while really I fear but one man. And why should I fear him? Enjoying the caresses of the woman whom I would have almost given my soul to win, will he be apt in this hour of triumph to think of vengeance? Will he leave the soft lips of woman to encounter the bullet of a desperate man? I would not. I would not have left her side, had I gained her, to have saved myself from years of flames!"

Then, once again, he listened as he rode steadily onward, listened for the sounds which, in imagination, were ever ringing in his ears.

"Tis but the rustle of the wind," he muttered, as again he thrust back the revolver, which he had half drawn from its sheath. "As I look back, I can see how badly I have played my hand. Oh, if I had it to play over again! But, I hadn't the pluck. I wavered when I should have been strong. One desperate blow would have won for me. His dare-devil reputation cowed me, as if he was more than man. Yet, every blow that I aimed at him seemed to recoil upon my own head. It's all over now, though. I've got my drafts on Frisco buckled around my waist. It's lucky that I prepared for the worst. At any rate, I've got enough to make a glorious start again. I'll try and lead a new life. I hope the devil won't tempt me again with a pretty woman; I am so weak."

The narrow road bent suddenly to the right, and it rose to the crest of the hill.

Pressing onward with an untiring stride, the game little animal swept round the bend.

Turning the angle of rocks, the hair of the rider nearly rose in horror when he beheld a horseman standing motionless in the center of the road. In the hand of the stranger was a leveled revolver, on the polished barrel of which the moonlight danced in wavy lines of light.

At the first glance the new-comer had recognized the motionless figure standing sentinel in the road.

The brown mare with the white blaze in the forehead and the four white "stockings," once seen, was not easily forgotten, and the coal-black hair and beard of the rider, as well as the ebon mask that covered his face, were all easily remembered.

It was the road-agent, Overland Kit, in person.

"Good-evening, Judge Jones," he said, with a menacing ring in his voice.

Judge Jones—for the rider on the gray pony was the Judge—pulled up his horse and laid his hand on the hilt of his revolver. But the outlaw was scarcely twenty paces from him, and, as the moon was shining, making the canyon bright as day, he saw the motion at once.

"Drop that, Judge; I can put a ball through you long before you can get that plaything out of its sheath."

With an expression of despair upon his face, the Judge removed his hand from the weapon.

"You are doubtless astonished at seeing me here," the road-agent said.

"I thought that you were dead," the Judge answered.

"Exactly; so I am, to all the rest of the world but you. I have come to life for your special benefit. There was a menace in the tone of the speaker.

Jones shivered; his face was very pale and his lips almost bloodless.

"For my benefit!" he said, slowly.

"Yes; I rely upon your honor never to mention this interview after we part. I have perfect confidence that you will not speak of it."

Again Jones shuddered, and convulsively he placed his hand on the revolver-hilt. He understood the meaning of the outlaw.

"Take your hand off that revolver, and don't put it there again, or I'll drill a hole right through you without warning!" Kit cried, sternly.

"If you seek my life, kill me outright and end it!" the Judge cried, in desperation.

"Go slow! let's reckon up the account before we settle it," the outlaw replied. "You're probably astonished at seeing me in the flesh when all the world thinks that I am dead. It is easily explained. That traitor, Joe Rain, I followed and settled with in full in the mountain. Then it struck me what a glorious idea it would be to put my clothes on him and let all the world think that Overland Kit had 'passed in his checks.' A bullet from my revolver partly disfigured the lower part of the face, and I trusted to my mountain friends, the wolves, to do the rest. I thought that I had got through with Overland Kit; but, as I said, Judge, I had to revive him for your especial benefit."

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"You intend to kill me?" the Judge asked, slowly. "Don't you honestly think that you deserve death?" the outlaw asked.

"I am not fit to die."

"That is the cant of all rogues. If I let you live, you will but commit more crimes, sink yourself deeper and deeper into perdition when the end does come. Judge, in taking your life, it doesn't seem to me as if I commit a murder. I am more like the executioner, who takes the life forfeited to the law, than the agent of private vengeance," the outlaw said, earnestly.

"What have I done to merit death?"

"You attempted to kill Gaius Tendail."

The Judge started, and nearly fell from his horse. "I guessed the truth, then, before," he muttered, in a hollow voice; "you have tracked me from Spur City, though I have ridden almost with the speed of the wind."

"You are right; I have," Kit replied. "This mare of mine is a thoroughbred, and can beat any thing on four legs west of the Mississippi. Through her speed I have been able to be in two places almost at the same time, or so near that men swore that I was. As you guess who I am, I'll throw this mummery aside."

The mask, wig and beard were dashed to earth.

*Injun Dick stood revealed in Overland Kit!*

"I do not deny my crimes," the Judge said, in a tone which told plainly that at heart he was utterly without hope. "I attempted to kill Gaius Tendail. He knew me in the East; knew of a crime that I committed there, and the consequences of which forced me to fly and seek shelter here. He met me in Spur City and recognized me. I paid him to keep silence; but fearing that, in some drunken spree, he might reveal my secret, I determined to kill him."

"And the letter written by him, which you read at the trial?"

"Was written to and received by me. It was accident alone that led to Jinnie being accused of the murder. After I had stabbed my victim, I passed out into the hall and threw the knife into the first door that came handy. It happened to be her room. Then, when I was called up by Ginger Bill, I guessed at once by his words that Jinnie was implicated, and the devilish idea came into my head to profit by the accident. I thought that I could force her to give you up and become mine to save herself. When Rennet pulled the paper out of her trunk, I picked it up and examined it; your name and hers coupled together, with some few loving words, were scribbled over the page. The idea struck me at once to substitute for it Tendail's letter to me, which was about the same size. I placed it in my pocket-book; then presented the other to Rennet for his signature, so as to identify it. The name of Jinnie I forged at the top of the page afterward."

"Jones, you've been a great scoundrel for a man with as little pluck as you have," Talbot said, in contempt.

"I know it," the Judge replied, coolly; "had not my heart failed me, you would never have won this girl. I played a bold game, but lacked courage. But now I am braver than I have ever been in all my life, for I sit here, calmly, awaiting my death-shot."

"Hang it!" cried Talbot, irresolutely. "I know that you deserve death, but, with all my wild, reckless actions, I never yet attacked a defenseless man. I'll give you a chance for your life. Draw your revolver; I'll not fire until your weapon is cocked and on the level."

"I thank you for your fair offer, but I cannot accept it," Jones said, slowly. "Never again, as long as Heaven lets such a miserable wretch as I am live, will I attempt to take a human life. I am not a young man; I have crimes enough on my soul now without attempting more."

"Are you in earnest?" Talbot asked, doubtfully.

"I hope so," Jones replied, solemnly.

"Then withered be my arm if I raise it against you!" cried Talbot, quickly. "In the future I, too, hope to lead a new life—in that life to atone for the errors of the past. Judge, we'll cry quits, and each go on our separate ways."

"I can only say that, if there ever comes a day when you need mercy, may you receive it," the Judge responded.

"Jones, I don't quite trust you yet!" cried Talbot, suddenly. "You have been such a thoroughly bad man that I fear treachery. Throw down your revolver, then ride past. When I am round the bend you can return and pick up your weapon."

"I do not blame you for your doubt," the Judge said, slowly.

Then he drew the revolver from his pocket and dropped it to the ground. The weapon struck the rock and exploded. The Judge straightened up in the saddle with a groan, and fell heavily to the earth.

When Talbot, horror-stricken at the accident, dismounted and reached his side, Judge Jones was beyond mortal aid. The ball had entered the breast, passed upward, tearing the lungs, and death had come almost instantly.

Spur City was astonished when Jinnie announced her intention of disposing of the Eldorado. Still more so, when Gaius Tendail recovered so as to be able to speak, and declared that his assailant was Judge Jones.

Then the miners understood why the Heathen Chinese, on the night of the attack, hearing Judge Jones sent for, should attempt to hide away the wounded man; they comprehended now what he meant by—"Mexican man comme back—killee some more."

Talbot had quite a long interview with Bernice. It was a painful one to both, for though Bernice's love for Talbot was but the childish fondness for her cousin, Patrick Gwyne, fostered by constant thought into a passion, still, as she had allowed it to take full sway over her nature, the struggle to conquer it was necessarily a difficult and painful one.

"Bernice," said Talbot, at parting, "forget that such a person as Patrick Gwyne ever lived; he has been dead to the world for years; he will never come to life again. Take the fortune; dead Patrick Gwyne cannot use it."

"But, Dick Talbot?" she asked.

"Will seek some place far from here; and, there, by honest labor, carve out a new fortune and a new name. I have another life now, besides my own, to care for. For her sake I will avoid temptation. If it had not been for a certain high United States

official at Austin, Overland Kit would never have been heard of. He tempted me; there was really no bloodshed in it—although it is worse than weakness for me to attempt to excuse it in any way—and I yielded. Then there was a wild excitement in the life that suited my reckless nature. But, that is all over now."

And so they parted.

The man-from-Red-Dog was inconsolable when he learned that Injun Dick was going away. He pleaded long and earnestly to be allowed to go with him, but Dick replied that it could not be, and the result was the man-from-Red-Dog went on an awful "tare," and offered to fight all Spur City, single-handed, just for the fun of the thing.

Bernice and old Mr. Rennet returned to New York, much to the latter's delight. Still, he often chuckles a little over his appearances as counsel in the impromptu mining court.

Toward the Pacific coast a long wagon-train wends its way. The setting sun is tinting the peaks of the Sierra golden, purple and ruby.

In the rear of the train ride Talbot and Jinnie. Talbot mounted on the famed brown mare, but bearing no longer the blaze in the forehead and the four "stockings," for the paint that gave the animal those noted marks has been washed off.

The soft rays of sunlight play upon the golden red locks of the girl as though they loved there to dwell. Talbot's arm is around her waist, her head upon his shoulder.

"Are you happy?" he asked, tenderly kissing the low forehead.

"Yes, so—so happy," she murmurs, in reply, her eyes bright, her cheeks slightly flushed.

THE END.

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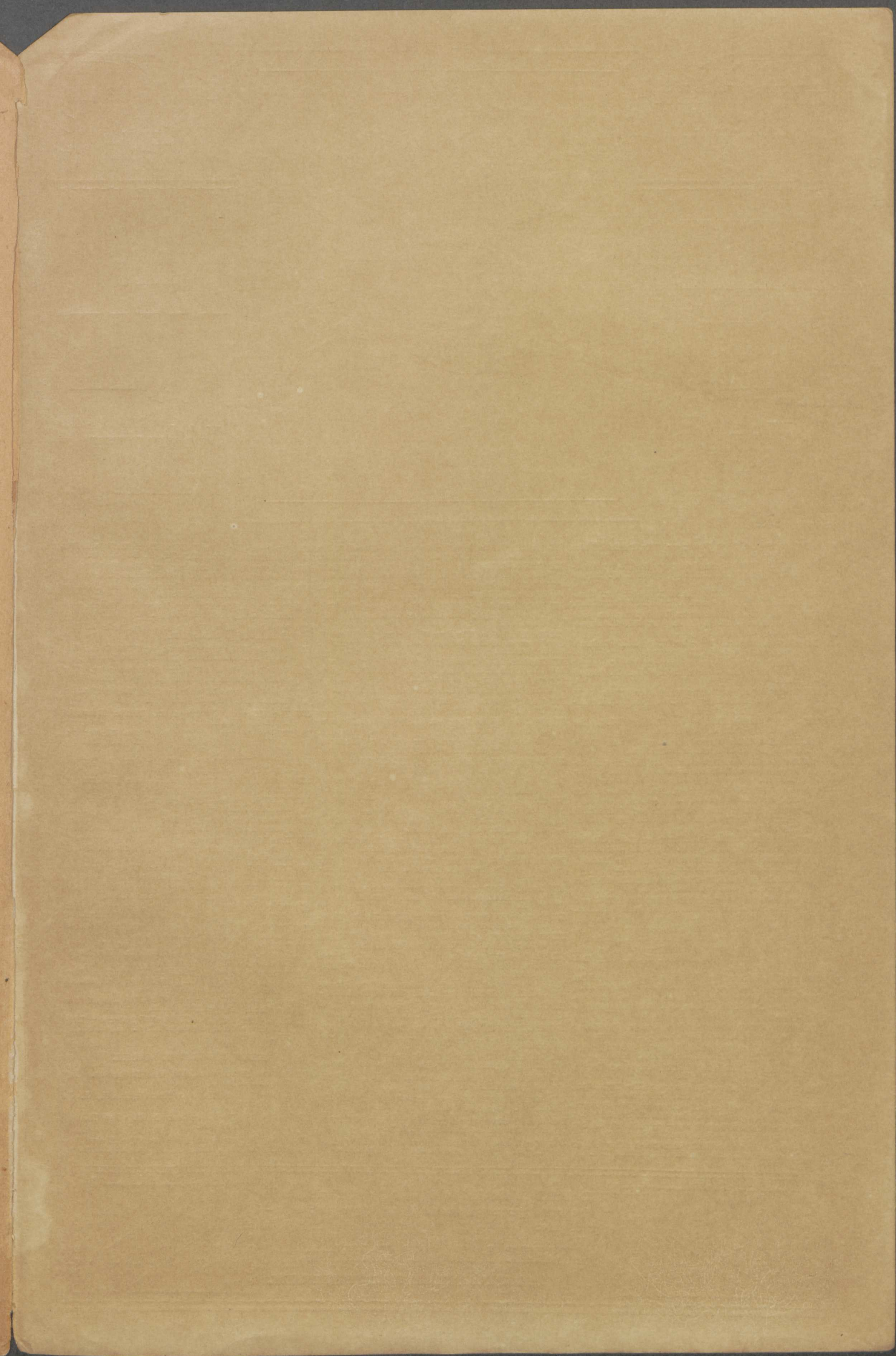
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32 Pages.